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POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFICAL, STATISTICAL, ECONOMICAL AND BIOGRAPHICAL

## DOCUMENTS, ESSAYS AND FACTS,

TOGETHER WITH

## NOTICES OF THE ARTS AND MANUFACTURES,

AND A

## *RECORD OF THE EVENTS OF THE TIMES.*

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**H. NILES, EDITOR.**

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THE PAST—THE PRESENT—FOR THE FUTURE.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 1—VOL. VIII. BALTIMORE, MARCH 2, 1833. [VOL. XLIV. WHOLE No. 1,119.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞At the commencement of a volume, we have often indulged ourselves in a little familiar chat with our readers "on things in general"—speaking of the past and speculating on the future—but the intense interest of the proceedings of congress, now exacting the most earnest attention of the people, has induced us to refrain for the present, and *lay-too:* for it seems that all sorts, or classes, of persons, whether Jackson men or Jackson-Van Buren men—national republicans or Clay men—anti-masons—proclamation-men or anti proclamation-men—nullifiers or anti nullifiers—state-rights men or *constitutionalists*—tariffites or anti-tariffites, &c. &c. have been so *jostled* that no party knows exactly where is its own present location!—Some "guess" that they are on the banks of *New-found-land;* but the fog is so thick, and the water so much disturbed, that neither the quadrant nor the lead-line renders accustomed service. Soon after the rising of congress, the fog will clear away, and parties will get observations of the sun, as well as soundings, and make a fresh start on their several courses. We cannot steer in any *new* direction; but whether we shall remain at sea, or seek a *permanent harbor*—refraining from every thing which may lead into controversy—will depend upon the probability of rendering service to those great interests which we have so long and earnestly supported. We shall take an early opportunity of expressing ourselves fully and freely, and independently, on this subject—simply saying, for the present, that our opinions remain unchanged. The question is—as to the utility of uttering them. Congress must rise to-morrow—the bustle of business will soon be over, and a calm review of all that has happened may speedily take place. Things seem so much interlocked with things, that, in all cases, it is not easy to separate them, and determine each by its own merits. This, however, we may promise—that the same industry which has for so long a time found favor with the public, shall be exerted to sustain the reputation of the REGISTER; and the total absence of controversial subjects from its pages, perhaps, will be more agreeable to the public than that course which "circumstances" imposed upon us. But still it is not by any means intended to abandon the discussion of general principles—though the late manner and direction of such discussions may be considerably modified. We have no personal allusion—referring only to things.

☞Mr. Clay's bill in the senate, for the regulation of the tariff, reached its third reading in that body, when serious doubts began to be entertained of the right of the senate to originate a revenue bill—for such, and such only, in our estimation, is Mr. Clay's project. The latter was then suddenly adopted by the house of representatives, in lieu of the mangled bill of the committee of ways and means, and very swiftly passed, 118 to 85, on Tuesday last. See the yeas and nays, page 12. It was immediately sent from the house to the senate, where it yet remained. And the opinion is given out that it will not pass the senate, unless the bill of the senate, further to provide for the collection of duties on imports, shall also pass the house. And if the land-bill fails in the house, some also believe that the tariff bill will hardly pass the senate.

The latter, or tariff bill, as it passed the house, is the bill as reported by the select committee of the senate. The amendments made by the committee are wholesome—but our original objection to the bill remains unchanged.

WONDERFUL SAGACITY. The editor of the U. S. Telegraph has discovered, because we said that, "in the long run, the value of imports cannot exceed the value of the exportations," we have repudiated our error as to balances of trade! Mr. Green will next find out that, *because all men will die, no man is living.* If there is a trade between a white man and an Indian, whiskey for furs—the balance will be against the Indian, if he continues it, until he parts with the last piece that covered his nakedness—and then he can only obtain more whiskey as he obtains more skins: the quantity of whiskey consumed being strictly regulated by *new* acquisitions of skins. There is no longer a "balance of trade" against the Indian!—but he is without clothing and miserable.

And notwithstanding this discovery—we *guess* that Mr. Green will agree with us, that if an individual (or a nation), sells a greater value than he purchases, or expends, there is an undoubted "balance of trade" in that individual's favor! But it is not worth while to pursue the subject. The people will *feel* that there *is* a balance of trade against them, a few years hence—unless the present prospects of things are materially changed.

U. S. BANK STOCK, at New York, February 27—104¼ a 104½.

NEW YORK. We mentioned in our last, that some of the old *bank-manufacturing-leaven* had appeared at Albany. It appears that a certain *Alvah Beebee* had written threatening letters to certain members of the assembly, if they voted against the proposition to make a new bank at Ithaca, and that he had offered one member 10,000 dollars in the stock, *and so forth.* The sergeant-at-arms was sent to arrest him, and he was brought a prisoner to Albany. It seems that he admitted the charges, but justified them. "As to the threat to vote down other bills, he answered that 'it was in accordance with the legislation of the state,' and that if members who for *themselves* or their *friends* were interested in a bank, were voted down by others, justice and *propriety* required that these latter should be defeated; and he added 'that this was a means of obtaining justice, that, as he understood, *had been long practised.*' The offer of stock he also defended on the score of 'immemorial usage.' 'Members, he said, had been constantly in the habit of subscribing for stock in banks, which they had voted for; and he further charged that he had been induced to make this particular offer at the instance of 'the friends of the member'—who had named the precise amount of stock wanted! All which things, usages &c. the counsel for the accused is said to be ready to substantiate. If so, we shall probably have a precious exposition of the art, trade and mystery of *lobbying.*"

For all which, after much debate, Mr. Beebee was brought to the bar, reprimanded by the speaker, and released from the custody of the sergeant-at-arms.

The "Albany Argus" gives the following account of the ceremony:

The respondent having been brought to the bar in the custody of the sergeant-at-arms, the speaker directed the following resolution to be read to him by the clerk:

*Resolved,* That Alvah Beebee has been guilty of a contempt and breach of the privileges of this House, and that he be brought to the bar of the house immediately, and that he be publicly reprimanded by the speaker, in the presence of the house.

The speaker then addressed the respondent as follows:

The resolution first read, clearly indicates the opinion of the house, of your conduct, as the author of a letter addressed to one of its members, offering improper inducements to support an application pending before the legislature. Your own admission establishes the fact, that you was the writer of such letter. The offence committed by you is one of no ordinary character, for which the statute imposes the heaviest penalties. Any attempt to corrupt the integrity of the members of this house, or to destroy the purity of legislation, deserves not only the severest reprehension, but the infliction of exemplary punishment. There are some circumstances calculated to palliate your offence:—these are your extreme youth and inexperience, to these, joined to your disclaimer of all wicked or corrupt intention, may be attributed the mildness of the decision of the house, which it is my duty to pronounce. In obedience to its order, I do therefore reprimand you for your conduct, and trust that this public



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admonition may prove a salutary lesson to yourself, and serve as a warning and example to all others.

The "Schenectady Cabinet" says:—The following resolution, introduced by Mr. Seward, on Saturday last, in the senate of this state, was defeated (by postponement,) by a vote of 19 to 9; all the "Jackson" members present voting against it except Messrs. Sherman, Sudam and Van Schaick:

*Resolved*, (if the assembly concur,) That the president of the United States, in his late proclamation, has advanced the true principles upon which only the constitution can be maintained and defended.

NEW JERSEY. Samuel L. Southard, at present governor of the state, has been elected a senator of the United States, after the 4th inst. in place of M. Dickerson, esq. whose period of service will then expire. For Mr. Southard 37, for capt. Stockton 23.

MARYLAND. The house of delegates of this state (51 to 15) have passed a liberal supplement to the act for making a rail road from Baltimore to Washington, and subscribing 500,000 dollars to the stock. The road is to be made by the Baltimore and Ohio rail road company.

VIRGINIA. The following is among the curiosities of the times:

In the legislature of Virginia, on Tuesday, last week, the following preamble and resolution was moved by *Mr. Knox:*

"Whereas a bill is now pending before the senate of the United States, which proposes to invest the president with the authority of employing at discretion the land and naval forces of the country, for the purpose of carrying into effect the revenue laws of the general government; and whereas, in the opinion of the general assembly of Virginia, there exists no necessity for clothing the president with such unlimited powers, *Resolved, therefore*, by the general assembly of Virginia, that John Tyler and William C. Rives, senators in the congress of the United States from the state of Virginia, be and they are hereby instructed to vote against the said bill, and to use their best exertions in order to defeat the passage of the same; and likewise request our representatives in congress to do likewise."

After some debate, and a refusal to defer the fate of the resolution, by laying it on the table, it was indefinitely postponed (*rejected*) by a vote of 75 to 51.

[On the matter of this resolution, the will of Virginia has been "nullified"—one of her senators *constitutionally* voting against the other *constitutional* senator.]

*Colonization.* In the house of delegates, on Saturday, the committee of finance, to whom had been referred the various petitions for legislative aid to the colonization society—made a report conformable thereto. A motion was made by Mr. Brodnax to lay the report on the table, which was, after much discussion, rejected.—Mr. Dade moved the indefinite postponement, which also, after considerable debate, was decided in the negative—ayes 57—noes 57. The house adjourned without disposing of the subject. On *Monday*, Mr. Ritchie moved to take up the report—several members desired that the vote on the taking up should be considered as a test vote. The question was then taken—the ayes and noes being called—and it was taken up—ayes 61—noes 59. It was then referred to a select committee consisting of—Messrs. Gilmer, Brodnax, Campbell, Marshall, Faulkner, Pendleton, Carter (of P. W.,) McDowell, Cabell, McCamant and King. [*Fred. Arena.*

SOUTH CAROLINA. We are happy to learn that the late affray in Barnwell district was a mere quarrel between four individuals—and tho' there was a pretty rough fight with dirks, &c. no one killed. A general battle was expected by the persons present, but the interference of influential gentlemen prevented it.

It will be seen that gen. Hamilton, president of the convention, has directed a meeting of that body at Columbia on the 11th inst.

CHARLESTON. A fire broke out in this city on the evening of the 16th ult. in a small wooden building situated on East Bay, a few doors south of Market street, and in its progress seemed to threaten a large part of the town with destruction—but, by the spirited exertions of the firemen, powerfully assisted by col. Bankhead and major Heilman, of the U. S. army, at the head of 100 men, and a strong detachment of seamen from the U. S. ship Natchez, under command of capt. Ringgold, the progress of the flames was arrested, after 30 or 40 buildings had been consumed, blown up, or pulled down. In general, they were of wood and not very valuable.

GEORGIA. *Savannah, Feb.* 13. Yesterday was the birth-day of colonial Georgia. On that day, 100 years ago, the British standard was planted on the Bluff of this city, and the territory then occupied, declared an appendage of Great Britain. Its infancy was nurtured by Anglo-Saxon care and protection, until kindness was converted into the oppressions of a tyrannical step mother, and then, her authority being thrown off, Georgia has grown up a healthful, vigorous and prolific *nation* 100 years old, and still capable under the care and auspices of republican self-government, of being as vigorous, healthful and prolific 100 years hence, as yesterday's anniversary found her. To enable her to attain that mature age, it is only necessary to keep her a member of the present and future confederacy of the United America—and above all beyond the mephitic exhalations of *nullification.*

The day was ushered in by "all the pomp and circumstance" of military parade, by our brilliant volunteer corps.

MISSISSIPPI. After eighteen ballots, the legislature of this state adjourned without electing a senator of the United States, after the 4th March next, Mr. Black having been appointed to fill the vacancy. The votes were divided between Messrs. Black (the sitting member), James C. Wilkins, and P. R. Pray.

FLORIDA. An act has been passed by the governor and council of this territory to incorporate the "Union bank of Florida," with a capital of 1,000,000, and a privilege of increasing it to 3,000,000 dollars.

STATE BANKS. We are glad to hear that the projects of state banks in *Ohio, Kentucky* and *Indiana* have failed—for the present; and hope the same result in *Maryland.*

INDIAN WAR. *Louisville, Feb.* 19. We received last evening the following letter, which contains information of considerable moment. [*Journal.*

*Cantonment Gibson, Jan.* 12, 1833.

*Dear friend:* I take this opportunity of informing you of our situation. Capt. Ford's company of U. S. rangers left this place on the 5th instant, by order of col. Arbuckle, on an expedition against the Pawnees, but, to their surprise, they were attacked on the 9th, by a band of Camansha Indians, five hundred in number. They fought with great bravery for the space of an hour and a half, but they were surrounded and overpowered, and compelled to surrender themselves prisoners of war. I was at the fort when the express came in. One of the lieutenants made his escape, and brought information that the savages, at the time of his leaving them, were massacreing their prisoners. It is supposed that all have been put to death. Five companies of regulars, on the receipt of the intelligence, immediately started to rescue such as might be still alive. There is every probability of a bloody war with the Camansha Indians.

JAMES SMITH, *a ranger under capt. Boon.*

QUESTION AND ANSWER! Mr. Clayton, of Delaware, in the course of his argument in favor of the revenue bill, in the senate, asked Mr. Tyler "if he would deny that he was a citizen of the United States?" To which Mr. Tyler responded that "he was not a citizen of the government of the United States."

☞If Mr. Tyler had been in many parts of Europe in troublesome times, he would not only have proudly called himself a "citizen of the United States," but also said that he was a "*Yankee*"—boasting of events

"Which gave to fame
The Yankee name."

"She is no Frenchman," said the boatswain of the Java, when carried below into the cock-pit severely wounded, "but a d——d *Yankee.* She fires three times to our two. We'll be prisoners, or on our voyage to ——, in a few minutes."

IN EFFIGY! There have been sundry hangings and shootings of the president of the United States, in effigy, in parts of the south. Neither hurts much! The editor of the REGISTER has suffered such *punishments* many times—in that quarter.

INCREASE OF AMERICAN TONNAGE. We learn from good authority that there are now on the stocks in the United States, *one hundred and thirty ships*, averaging more than three hundred and fifty tons each. Of this number it is said that upwards of seventy are being built east of Boston.

This is a truly gratifying evidence of the prosperous state of our commercial interests, and promises a fair chance of promotion to the enterprising officers in our merchant service. [*Cour. & Enq.*

[What better proof than the preceding would any man desire to have, that the "high" and "abominable" tariff of 1828, yet in operation, has *destroyed* navigation and commerce?]

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Fuel in New York. From a statement published in the New York Daily Advertiser, it appears that the cost of fuel in that city for one year, is one million three hundred and sixty-nine thousand, five hundred and seven dollars and eighty cents, which, calculating the population at two hundred and twenty thousand, is a fraction over six dollars to each individual. The statement only embraces the quantity of wood and American coal sold to citizens for consumption; and does not include the large quantity of Liverpool, Sidney, Pictou, and other foreign coal used by the citizens and for manufactures; nor does it include the pine wood used for steam boats.

Postmasters. An old subscriber in New York, who is strongly opposed to nullification by South Carolina—requests that the postmaster general may be informed of the necessity of certain nullifying acts on the line of the road between Baltimore and western New York.

"Six cents damage. Two persons at New York, one a shopkeeper and the other a whiskered dandy, have each obtained the handsome sum of six cents damages, on account of certain cowhidings which they received—the one from a brother, and the other from the father, of young ladies whom they had insulted.

Case of Mr. Fillebrown. The National Intelligencer of Feb. 23, says—The supreme court delivered its opinion yesterday in the case of *the United States vs. Thomas Fillebrown*, affirming the judgment of the circuit court of the District of Columbia in favor of the defendant. As this is one of the cases originating in the political persecutions of the memorable year 1829, we shall take an early opportunity of recurring to the opinion of the supreme court, and presenting to our readers a more particular account of it.

The medical profession. In the medical class of the university of Pennsylvania, for the session of 1832-3 there were 368 students—of these 120 were from Pennsylvania, 103 from Virginia, 30 North Carolina, 15 South Carolina, 14 Georgia, 19 New Jersey, New England 10, New York 10, Maryland 9, Alabama and District of Columbia 7 each, Lousiana and Delaware 5 each, Kentucky and Mississippi 4 each, Tennessee, Canada and West Indies 2 each.

The whole number of students was 823—collegiate 105, medical 368, academical 186, charity (English) schools 164.

United States mint. The report of the director of this establishment for the year just ended, shows the coinage, during the year, of the sum of $3,401,055—consisting of 157,487 half eagles—4,400 quarter do.—4,797,000 half dollars—320,000 quarter do.—522,500 dimes—965,000 half do.—and 2,352,000 cents. Of the gold coined, $80,000 were from Mexico, South America and the West Indies, $28,000 from Africa; $678,000 from the gold region *in our own country*; and about $12,000 from sources not ascertained. Of the gold produced in the United States $34,000 came from Virginia; 458,000 from North Carolina; 45,000 from South Carolina; 140,000 from Georgia; and 1,000 from Tennessee. The quantity produced in South Carolina was more than doubled within the last year; in North Carolina nearly doubled; in Virginia increased 30 per cent. in *Georgia* diminished 20 per cent.

Beauties of the press. *From the New Hampshire Patriot, of Feb 25.* It will be seen that Mr. Blair has been defeated as printer to the next congress, and Messrs. Gales & Seaton elected. Thus it is, the editor of the Globe, who has stood forth the champion of the people and the administration, and who has done more than almost any other man in exposing the corruptions of the bank and the false and deceptive course of the opposition, has been forced to give place to the editors of the Intelligencer, a leading and bitter opposition print. And this too, has been done by members of congress elected by the people to sustain the administration. When will these things cease? Government patronage enough has been bestowed upon the profligate Englishman, Gales, to make fifty prudent men rich, and now another job has been given him, for his services to the bank and the federal party.

*From the same.* ☞Mr. Clay's land bill seems to be hung up in congress. We wish the house would pass it, only to see how quick old Hickory would veto it.

British revenue. *From late London papers* we lay before our readers an abstract of the amount of the revenue for the years and quarters ended 5th January, 1833.

It will be seen that the total ordinary revenue for the year ended 5th January, 1833, is £43,379,339. The total revenue for the year ended 5th January, 1832, was £42,833,170. The increase on the year is £546,169.

The total revenue for the quarter ended 5th January, 1833, is £11,705,301. The total revenue for the quarter ended 5th January, 1832, was £11,743,536. The decrease on the quarter is £39,473.

On the year, the customs have increased £223,167; on the quarter £356,583. On the year, the excise has increased £326,346; on the quarter it has decreased £299,086. The taxes have increased in the year £79,543. The post office has decreased in the year no less than £68,006; on the quarter, however, it has increased £10,000.

British West Indies. By the brig Mary, captain Green, in 16 days from Montego Bay, we have Jamaica papers as late as the 26th ultimo, which are mostly occupied with the subject which has so long distracted that island, and rendered it justly obnoxious to the charge of religious persecution. The Jamaica Courant, a paper of considerable influence, seems to be devoted to the destruction of certain religious sects, on the ground that they have instigated the slaves to rebellion. To such an extent has the public mind been excited against the Baptist and Methodist clergymen, that they have been assailed and mobbed, while in the performance of their religious duties, and, in many instances, have narrowly escaped with their lives. To protect these classes of citizens from violence, and to preserve the public peace, a proclamation had been issued by his majesty William the 4th, which reached Jamaica on the 26th; it forbids all civil and military officers, under the government, connecting themselves with the clubs which have been organizing to oppose public preaching, and calls upon them to use every exertion in their power to bring the offenders to justice. The Courant speaks in terms of defiance of the proclamation, and remarks: "His majesty appears to imagine we are all slaves! and that we are to be governed at a distance of *four thousand miles*, by a proclamation, in defiance of laws which have been sanctioned by his predecessors; by those laws [illegible] governed, we may incur the high displeasure of his most gracious majesty!" If the Courant speaks the language of the great mass of the people, we cannot predict what may be the result of this disturbing question, or where it will end.

So far the New York Advocate: and the N. Y. American says—A gentleman who has an intimate acquaintance with local property in the island of Jamaica, on looking over our files received by the last vessels, observed that sales have been attempted of the following estates: Temple Hall, with two hundred and forty negroes, which cost a few years since, fifty thousand pounds, was bid in, eight thousand only having been offered for it; Pleasant Hill, a coffee estate with two hundred and sixty nine negroes, cost, a few years since, one hundred thousand pounds, was bid in, only ten thousand offered. These are said to be fair specimens of the depreciation of the value of estates in the island; and as they were brought to the hammer, the mortgage having been sued up, would not have brought much more than sufficient to pay the costs of court.

## FOREIGN NEWS.

### GREAT BRITAIN AND IRELAND.

A great fire had taken place in Liverpool, in which 10 to 12,000 bales of cotton were consumed. The total damage said to be 300,000 pounds sterling.

The splendid and extensive premises at Leith were destroyed by fire early in January. It included steam mills, grain lofts, baths and spirit cellars, and extended from the head of Broad Wyand to the shore, and along the front of shore to Bernard street—loss estimated at $178,000.

The mail from Exeter to London, a distance of 173 miles, is carried in eighteen hours, while the mail from Calais to Paris, the same distance, is allowed 30 hours, and that is now thought rapid travelling.

Troops were leaving England—for Ireland and the West Indies.

A good many cases of *cholera* have recently appeared in England and Ireland.

The renewal of the charter of the bank of England is an absorbing topic.

A story is current in Chichester of a dignitary of the church complaining to his bishop that he could not live upon his income, (nearly £1,000 a year.) His lordship is reported to have said, "You had better be quiet; it is possible you will be compelled ere long, to live upon a much smaller sum."

[*Brighton Guardian.*

The London Globe gives the following official result of the recent elections.

| | | |
|---|---|---|
| *England*—Reformers, | | 394 |
| Conservatives, | 110 | |
| *Scotland*—Reformers, | | 44 |
| Conservatives, | 9 | |
| *Ireland*—Reformers, | | 80 |
| Conservatives, | 25 | |
| Total | 144 | 518 |

This result shows a proportion of nearly four to one in favor of liberal principles.

### PORTUGAL.

Don Pedro was still confined in Oporto, which Miguel's troops had bombarded, and considerably damaged. The fleet of Sartorius was expected at Oporto, from Vigo.

### FRANCE.

The authorities are much embarrassed how to dispose of the duchess of Berri. They will neither bring her to trial, nor discharge her.

The king has reviewed the army in the north, as it was returning from Antwerp, and liberally bestowed rewards and praises.

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### HOLLAND AND BELGIUM.

The state of affairs has not materially changed. The king of Holland had not swerved from his purposes.

We need only cite one proof of the enthusiasm which animates this extraordinary people. On the very day that the news of the surrender of the citadel at Antwerp arrived in Holland, the concourse of subscribers for the loan was immense, and all the funds necessary for the national defence against a most cruel oppression, were furnished with the greatest eagerness, and even rivalry. [*The Guardian.*

### ITALY.

The following from Naples is of December 22: "For two days the eruption of Vesuvius has assumed an alarming character; the flanks of the mountain are furrowed in every direction by vast torrents of lava. We can perceive three small craters that have formed themselves in the centre of the great crater, the edge of which is in several places rent by crevices 30 or 40 feet wide, and 15 or 20 deep. A new stream of lava, which formed itself in the night of the 20th, has taken the direction of Portici."

### GREECE

Is becoming more settled. It is said that the French troops were to be speedily withdrawn.

### COLOMBIA.

We are glad to hear, generally, that present peace prevails in this long war-vexed land, though we do not understand how many "sovereign" states have been made for the rule of the several chieftains. There seems to be not less than three of them—Venezuela, New Granada and "Escuador." The latter [illegible] "[illegible]emble," but we don't know it by its name.

### TURKEY AND EGYPT.

A letter from Paris, of January 12th, gives the following as the latest and most authentic information from Constantinople:—

The progress of the pacha's troops in Asia Minor is rapid; insurrection is fast spreading every where. The sultan has no money and but few troops. He cannot rely either on the courage or fidelity of the latter; and it may be regarded as certain, that on their first encounter with Ibrahim, they will be defeated and dispersed, if not induced to join his triumphant banner. All the best letters from Constantinople, dated the 10th ult. and received by the last post, say that Ibrahim was only a few day's march from the capital, and express the fullest conviction that nothing but foreign interference could check his progress. It is evident that the court of Russia is anxiously desirous to prevent his going too far, and it is probable that it will take means to prevent him, if the danger becomes too imminent to allow of any time being lost in consultations with other European powers on what ought to be done.

The Egyptian fleet of 25 sail had appeared in the Archipelago, seeking the Turkish of 40 sail, which was at anchor at the mouth of the Dardanelles. It was reported that 70,000 men of the Turkish army had joined the Egyptians. If all that is stated is true, the sultan must yield to his pacha, unless saved by the interposition of the European governments.

The plague was raging at Constantinople, and had carried off 17,000 persons.

## STATE OF SOUTH CAROLINA.

*To all to whom these presents may come:*

Know ye, that by virtue of the authority vested in me by the convention of the people of South Carolina, I do hereby call together, and by these presents I have convoked the members of the said convention to re-assemble at Columbia, in the state aforesaid, at meridian, *on the second Monday in March next*, which will be on the 11th day thereof, to deliberate on such matters touching the interests and welfare of the good people aforesaid, as may be then and there presented for their consideration.

And I hereby call upon the said members to be punctual in their attendance, at the time and place herein specified.

Given under my hand and seal, in the parish of St. Peter's, South Carolina, this 13th day of February, in the year of [L. S.] our Lord one thousand eight hundred and thirty-three, and in the fifty-seventh year of American independence.

J. HAMILTON, jr.

President of the convention of the people of South Carolina.

## ITEMS.

A large number of counterfeit bills of the bank of the United States have been circulated in New Brunswick, and especially at Fredericton.

The Rival, which sailed from Greenock for Oporto, on the 22d of November, with a crew of 37 men and 428 passengers for the service of Don Pedro, was totally lost on the 4th of December, near Galway, *and every soul on board perished.* The vessel was commanded by Mr. William Wallace, and the men for Portugal were under the charge of capt. Bygraves. The passengers were chiefly mechanics, journeymen operatives, weavers, and laborers, from almost every town and village in the west of Scotland, but principally from Galway.

The superintendent of salt springs, in the county of Onondaga, New York, reports the whole number of bushels of salt inspected during the year 1832, was one million six hundred and fifty-two thousand nine hundred and eighty five, of which one hundred eighty seven thousand six hundred and fifty-three was coarse salt.

A mine of anthracite coal is said to have been discovered on the Potomac, about 12 miles above Williamsport.

Some cases of cholera have recently appeared in Tennessee and Louisiana—but it does not appear that this fearful disease had extended itself.

Died, recently, at Pomfret, Conn. gen. Lemuel Grosvenor, in the 81st year of his age—a valued soldier of the revolution.

Seventy bales of cotton, weighing 31,520 lbs. were recently drawn by one horse from Tuscumbia, (Alabama,) to the river, a distance of 2 7-8 miles, in 14 minutes, on the rail road. *Savannah Georgian.*

The "Gallego mills" now owned by Mr. Chevallie, near Richmond, Virginia, were destroyed by fire in the night of the 6th February, believed to have been caused by friction in some of the machinery. These were among the largest mills in the United States, and the flour manufactured in them was of a very superior quality. The loss is supposed to be 100,000 dollars.

Joseph L. Hays, who lately resigned as police marshal of the city of N. York, during the term of his service in the police office, served 5,009 warrants, on persons whom he was called upon to arrest for various offences.

The population of Upper Canada, according to a statement in the Montreal Gazette, is nearly three hundred thousand.

Judge Smith has been impeached before the senate of Illinois. Among the charges, is one for imprisoning a Quaker for refusing to take off his hat in court.

We are glad to hear that lieut. *Randolph*, of the navy, who seems to have been bitterly persecuted by some of the *miserables* having influence in Washington, has been acquitted of all the charges preferred against him.

The snow was four or five feet deep at Portland, on the 15th Feb. last—and the roads impassable.

The Charlotte (N. C.) Journal states, on the authority of the postmaster at that place, that a pair of india rubber shoes passed through that post office, a few days since, franked by a member of congress from South Carolina, as "public documents!"

The annual number of newspapers which pass through the New York post office, is estimated at *eleven million eight hundred thousand.*

It is intimated in the *New York Gazette*, that the office of United States district attorney, for that city, is worth $30,000. This fat salary is made up by fees, &c. in actions against the merchants.

The remains of *Henry Eckford*, the celebrated ship-wright of New York, were recently received in that city from Constantinople—where he had been for some time superintending the navy yard of the sultan; who, on his death observed, "America must be a great nation, that she can allow such men as Henry Eckford to leave her dominions."

A letter from Hallowell, Maine, dated the 17th Feb. states that the snow there was seven feet deep.

The United States express, between Washington and Charleston, has performed some great exploits. The journey between Petersburg and Laurenceville, 49 miles, (one of the worst of roads at this season of the year) was lately made in two hours and 20 minutes—and 71 miles on the line travelled in 3 hours and 50 minutes. There is no need of such hurry, we suppose, just now, and we hope that there will not be—but the organization is proper, and its efficiency should be ascertained and kept up—*pro tem.*

## TWENTY SECOND CONGRESS—SECOND SESSION.

### SENATE.

The following is a copy of Mr. Clay's compromise tariff bill, as it was reported by the select committee.

Strike out the parts within [brackets] and insert the parts in italics.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That upon and after the 30th day of December, 1833, in all cases, where duties are imposed on foreign imports, by the act of July 14, 1832, entitled "an act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed 20 per centum on the value thereof, one tenth part of such excess shall be deducted; from and after the 30th day of September, 1835, another tenth part thereof shall be deducted; from and after the 30th day of September, 1837, another tenth part thereof shall be deducted; from and after the 30th day of September, 1839, another tenth part thereof shall be deducted; and from and after the 30th day of September, 1841, one half of the residue of such excess shall be deducted; and from and after the 30th day of September, 1842, the other half shall be deducted.

Sec. 2. And be it further enacted, That so much of the second section of the act of the 14th of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or Kendal cottons, of which wool is only the material, the value whereof does not exceed 35 cents a square yard, at 5 per centum ad valorem, shall be, and the same is hereby repealed. And the said articles shall be subject to the same duty of 50 per centum as is provided by the said second section for other manufactures of wool, which duty shall be liable to the same reductions as are prescribed by the first section of this act.

Sec. 3. And be it further enacted, That until the 30th day of September, 1842, the duties imposed by existing laws as modified by this act shall remain, and continue to be collected. [And from and after the day last aforesaid, all duties on imports shall be collected in ready money; and laid for the purpose of collecting such revenue, as may be necessary to an economical admi

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nistration of the government, and, for that purpose, shall be equal upon all articles according to their value, which are not, by this act, declared to be entitled to entry subsequent to the said 30th September, 1842, free of duty, and until otherwise directed by law from and after the said 30th day of September, 1842, such duties shall be at the rate of 20 per cent. ad valorem; and from and after that day, all credits now allowed by law, in the payment of duties, shall be, and hereby are, abolished—*Provided*, That nothing herein contained, shall be construed to prevent the passage of any law in the event of war with any foreign power, for imposing such duties as may be deemed by congress necessary to the prosecution of such war.] *And from and after the day last aforesaid, all duties on imports shall be collected in ready money, and all credits now allowed by law, to the payment of duties, shall be, and hereby are, abolished, and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.*

Sec. 4. And be it further enacted, That in addition to the articles now exempted by the existing laws from the payment of duties, the following articles imported from and after the 30th day of September, 1833, and until the 30th day of September, 1842, shall also be admitted to entry, free from duty, to wit: bleached and unbleached linens, *table linens, linen napkins, and linen cambrics*, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, *excepting sewing silk*, and worsted stuff, goods, shawls, and other manufactures of silk and worsted.

Sec. 5. And be it further enacted, That from and after the said 30th day of September, 1842, the following articles shall be admitted to entry, free from duty, to wit: [unmanufactured cotton] indigo, quicksilver, *sulphur, crude saltpetre, steel, grind stones, refined borax, emery*, opium, tin in plates or sheets, gum arabic, gum senegal, lac dye, madders, madder root, nuts and berries used in dyeing, saffron, tumeric, woad or pastel, aloes, ambergris, Burgundy pitch, cochineal, camomile flowers, coriander seed, catsup, chalk, coculus indicus, horn plate for lanterns, ox horns, other horns and tips, India rubber, unmanufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, all vegetables used principally in dyeing and composing dyes, wold and all articles employed chiefly for dyeing, except *alum, copperas*, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis, and tartaric acids, [and all other dyeing drugs and materials for composing dyes,] *and all imports on which the first section of this act may operate, and all articles now admitted to entry, free from duty or paying a less rate of duty than 20 per centum ad valorem before the said 30th day of September, 1842, from and after that day may be admitted to entry subject to such duty not exceeding 20 per centum ad valorem, as shall be provided for by law.*

Sec. 6. And be it further enacted, That so much of the act of the 14th day of July, 1832, or of any other act as is inconsistent with this act shall be, and the same is hereby repealed. *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior, or subsequent to the said 30th day of September, 1842, of any act or acts, from time to time, that may be necessary to detect, prevent or punish evasions of the duties on imports imposed by law: *nor to prevent the passage of any act prior to the 30th day of September, 1842, in the contingency either of excess or deficiency of revenue, altering the rate of duties on articles which by the aforesaid act of 14th day of July, 1832, are subject to a less rate of duty than 20 per centum ad valorem, in such manner as not to exceed that rate, and so to adjust the revenue to either of the said contingencies.*

—

*February* 22. Mr. *Benton* presented two memorials from Missouri, one against the passage of the bill relating to the proceeds of the public lands, and the other against rechartering the United States bank; which were laid on the table, and ordered to be printed.

Mr. *Frelinghuysen*, presented a memorial from certain manufacturers of copper, which was laid on the table.

The various bills lying on the table, waiting for their third reading, were taken up, read a third time and passed.

On motion of Mr. *Forsyth*, the senate then proceeded to the consideration of executive business.

When the doors were reopened—

The senate proceeded to the consideration of the bill to modify the acts imposing duties on imports.

After a considerable debate, the question being upon Mr. *Clay's* motion to amend the bill (so as to require a home instead of a foreign valuation, after the year 1842).

Mr. *Calhoun* said that he regretted that this amendment had been offered, but, as he had to choose between it and the failure of the bill, he had determined to vote for it. He voted for it, however, expressly on the ground, and with the declaration, first, that it should not be so construed as to require that the value should be ascertained by adding the amount of the duty to the value of the goods; and, second, that it should not be so applied as to violate that principle of the constitution which requires that all taxes and imposts shall be uniform throughout the United States.

The question being taken on the amendment, it was decided as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Foot, Frelinghuysen, Hill, Holmes, Johnston, King, Knight, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Sprague, Tomlinson, Tyler, Wilkins—26.

NAYS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Forsyth, Grundy, Kane, Robinson, Seymour, Silsbee, Smith, Waggaman, Webster, White, Wright—16.

So the amendment was agreed to.

On the suggestion of Mr. *Tyler*—

Mr. *Smith* moved to amend the bill in the second section, by striking out the words at the close of the section, constituting the last paragraph.

The section reads as follows, and the part moved to be stricken out is enclosed in brackets:

"Sec. 2. *And be it further enacted*, That so much of the second section of the act of the 14th of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or Kendal cottons, of which wool is the only material, the value whereof does not exceed thirty five cents a square yard, at five per cent. ad valorem, shall be, and the same is hereby, repealed. [And the said articles shall be subject to the same duty of fifty per cent. as is provided by the said second section for other manufactures of wool, which duty shall be liable to the same deductions as are prescribed by the first section of this act."]

Mr. *Clay* expressed a hope that the amendment would not be pressed.

Mr. *Forsyth* advocated the proposition to amend.

Some further remarks were made by Messrs. *Webster, Clayton, Clay, Foot and Miller*, when the bill was, on motion of Mr. *Dudley*, laid on the table, in consequence of a message from the house, announcing the death of the hon. *James Lent*, a representative from New York, and inviting the senate to attend the funeral to-morrow, at 11 o'clock.

The usual resolution was then adopted, and, on motion of Mr. *Clay*, it was

*Ordered*, That when the senate adjourns, it adjourn to meet to morrow, at one o'clock. The senate then adjourned.

*February* 23. After attending the funeral of Mr. *Lent*, of the house of representatives—

At half past one o'clock, the senate was called to order.

The *chair* communicated a report from the department of state, containing a statement of passengers and seamen who have arrived in passenger ships.

Mr. *Dallas* presented a memorial from the manufacturers of worsted yarn; which was laid on the table.

On motion of Mr. *Clay*, the bill to modify the acts imposing duties on imports, was taken up.

The question being on the motion of Mr. *Smith*, to amend the second section, some discussion took place, in which Messrs. *Wright, Foot, Clay, Forsyth, Buckner, Bell, Holmes, Smith, Sprague, Chambers, Benton, Dickerson, Silsbee, Frelinghuysen* and *Bibb* took part.

Mr. *Smith* having modified his motion so as to strike out the whole of the second section, (which goes to replace plains, kerseys, &c. where they stood before the act of July, 1832) the yeas and nays were ordered on that question.

Before any question was taken, Mr. *Wilkins* moved that the senate do now adjourn.

Mr. *Clay* asked for the yeas and nays, which were ordered; and the question being taken it was decided as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Hill, Knight, Robinson, Seymour, Silsbee, Smith, Tipton, Webster, Wilkins—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Hendricks, Holmes, Johnston, Kane, King, Mangum, Miller, Moore, Naudain, Poindexter, Pretiss, Rives, Robbins, Sprague, Tomlinson, Troup, Tyler, White, Wright—31.

So the senate refused to adjourn.

The question then recurred on the motion to strike out the second section.

Some discussion took place between Messrs. *Webster, Clay, Chambers* and *Clayton*, and the question was about to be taken; when,

Mr. *Chambers* moved that the senate do now adjourn.

The yeas and nays being ordered, the question was taken and decided as follows:

YEAS—Messrs. Benton, Buckner, Chambers, Dallas, Dickerson, Hendricks, Kane, Knight, Prentiss, Robinson, Seymour, Silsbee, Smith, Webster, Wilkins—15.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robbins, Sprague, Tipton, Tomlinson, Troup, Tyler, White, Wright—28.

After some remarks from Mr. *Webster* and Mr. *Clay*, the question was then taken on the motion to strike out the second section of the bill, and decided as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dudley, Forsyth, Grundy, Kane, King, Robinson, Silsbee, Smith, Webster, White, Wright—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Dickerson, Ewing, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Seymour, Sprague, Tipton, Tomlinson, Troup, Tyler, Wilkins—29.

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So the senate refused to strike out the second section.

Mr. *Kane* then moved to amend the bill by adding another section, which provided that nothing contained in this act should be construed to extend to the present duties on lead in pigs, bars, or sheets, leaden shot, red or white lead, dry or ground in oil, sugar of lead, &c. &c.

Mr. *Smith* moved to amend the amendment by adding the words "bar iron and castings of iron, gunpowder, cannon, mortars, howitzers, cannon balls, shells for guns and howitzers," &c. Mr. S. said this proposition was to carry out the views of the secretary of the treasury in reference to the protection of munitions of war.

After a few words from Mr. *Clay* in opposition to the last proposition, and in favor of it from Mr. *Smith* and *Dickerson*, the yeas and nays were ordered, and the question being taken, was decided as follows:

YEAS—Messrs. Benton, Buckner, Clayton, Dallas, Dickerson, Dudley, Hendricks, Kane, Robinson, Smith, Tipton, Webster, Wilkins, Wright—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robbins, Seymour, Sprague, Tomlinson, Troup, White—25.

So the amendment to the amendment was negatived.

The question was then taken on the amendment proposed by Mr. *Kane*, the yeas and nays being ordered, and it was decided as follows:

YEAS—Messrs. Benton, Buckner, Dickerson, Dudley, Hendricks, Kane, Robinson, Silsbee, Smith, Tipton, Wilkins, Wright—12.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Dallas, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robbins, Seymour, Sprague, Tomlinson, Troup, Tyler, Webster, White—27.

So the motion to amend was rejected.

Mr. *Forsyth* then moved to strike out the 3d and 6th sections of the bill, which attempt to bind all future congresses until the year 1842.

Mr. *Webster* made one or two observations on the motion.

The yeas and nays were then ordered, and the question being taken, was decided as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Forsyth, Kane, Knight, Robinson, Seymour, Silsbee, Smith, Webster—13.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Foot, Grundy, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Sprague, Tipton, Tomlinson, Troup, Tyler, White, Wilkins, Wright—28.

So the motion was rejected.

Mr. *Benton* then moved to amend the bill by adding a new section, the object of which was to make a reduction of the drawbacks allowed on the exportation of articles manufactured in the United States from foreign materials subject to duty, in the same proportion as the reduction made in the duties by this bill.

The yeas and nays were ordered on this motion.

After a few words from Messrs. *Benton, Calhoun, Smith, Poindexter, Foot* and *Miller*,

The question was taken, and decided as follows:

YEAS—Messrs. Benton, Buckner, Calhoun, Dallas, Dickerson, Dudley, Forsyth, Johnston, Kane, King, Rives, Robinson, Seymour, Tomlinson, Webster, White, Wilkins, Wright—18.

NAYS—Messrs. Bell, Bibb, Black, Clay, Clayton, Ewing, Foot, Grundy, Hendricks, Holmes, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Robbins, Silsbee, Smith, Sprague, Tipton, Troup, Tyler—24.

So the amendment was rejected.

Mr. *Wright* then moved to amend the bill by adding a section to restore the duties on coarse wool to the rates established by the bill of 1828.

On this question the yeas and nays were ordered, and after an explanation from Mr. *Wright*, that his object was merely to place coarse wool as it was placed in 1828, in consequence of the adoption by this bill of a duty of 5 per cent. on coarse woollens, the question was taken and decided as follows:

YEAS—Messrs. Dudley, Hendricks, Seymour, Silsbee, Tipton, Webster, Wright—7.

NAYS—Messrs. Bell, Bibb, Black, Buckner, Calhoun, Clay, Clayton, Dallas, Dickerson, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Robinson, Smith, Tomlinson, Troup, Tyler, White, Wilkins—32.

So the motion was negatived.

Mr. *Silsbee* moved to strike out the words "coming from this side of the cape of Good Hope," in reference to the discrimination made in the places from which silks are imported.

The motion was negatived without a division.

The bill was then reported as amended.

Mr. *Dallas* then moved to amend the amendment made as in committee of the whole, in the third section, by striking out the words which suggest the point to which the duties shall be ultimately reduced, to be the "revenue necessary to an economical administration of the government."

A discussion took place on this motion, in which it was contended by Messrs. *Webster, Dallas, Dickerson* and *Buckner*, that these words, although not so intended, might be construed by southern gentlemen, in the year 1842, as an abandonment of the protective principle, and a design on the part of those who had introduced this bill, to make revenue alone the standard of all future duties on imports.

Mr. *Clayton* and Mr. *Clay* regarded the language as authorising no such construction, and denied that any one would be justified in inferring that there was to be any abandonment of the system of protection. It was insisted by Mr. *Clayton* that the government could not be kept together if the principle of protection were to be discarded in our policy, and declared that he would pause before he surrendered that principle, even to save the union.

Mr. *Forsyth* regarded the clause as an absurdity, on which an argument either for or against protection might be erected; but as it was the only absurdity which was agreeable to him, among the many absurdities contained in the bill, he would vote for it.

Mr. *Holmes* said a few words to restore the senate to good humor, quoting the juvenile ballad:

Let dogs delight to bark and bite,
  For God has made them so;
Let bears and tigers growl and fight,
  For 'tis their nature, too.
But brethren you should never let
  Such angry passions rise,
Your pretty hands were never made
  To tear each others' eyes.

The question was taken, the yeas and nays being ordered, and decided as follows:

YEAS—Messrs. Benton, Dallas, Dickerson, Dudley, Knight, Prentiss, Robbins, Seymour, Silsbee, Tipton, Tomlinson, Webster, Wilkins, Wright—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Troup, Tyler, White—22.

So the amendment was rejected.

The amendment made in committee by inserting "steel" among the free articles, was not concurred in.

The other amendments were concurred in.

Mr. *Webster* then stated his intention to oppose the bill, on its general principles; but if the senate would take the question on the engrossment without calling the yeas and nays, he would postpone what he had to urge until the question should come up on its final passage.

The question was then put, and the bill was ordered to be engrossed.

On motion of Mr. *Clay*, the bill, as amended, was ordered to be printed, and 500 copies were ordered.

Mr. *Calhoun* then said, that as the whole of Monday would probably be occupied in this debate, he would postpone the consideration of his resolutions, which stood as the special order for Monday, until Tuesday.

At 9 o'clock the senate adjourned.

*February* 25. Mr. *Robbins*, from the committee on the library, reported a joint resolution authorising an extension of the subscription of congress to the continuation of the compilation of documents publishing by Gales & Seaton; which was read and ordered to a second reading.

On motion of Mr. *Smith*, the previous orders were postponed, and the senate proceeded to consider the bill making appropriations for the military service; which was considered, and ordered to a third reading.

The bill was then read a third time and passed.

Mr. *King* moved to suspend for two days the order which excludes all persons from the floor.

The *chair* stated that it would be impossible to preserve order, if the rule should be suspended. He understood that when the gallery fronting the chair was erected, it was intended that the first seats should be reserved for ladies; and although it was now filled with persons who undoubtedly had a right to occupy it, he was certain that it would be only necessary to make the suggestion, to induce every gentleman to retire from that position for the purpose of accommodating female visitors. At the same time, he signified his entire willingness to conform to the present motion, if such should be the unanimous wish of the senate.

No objection being made, the order was suspended.

The bill to modify the act of the 14th day of July, 1832, and all other acts imposing duties on imports, was read a third time, and the question being on its passage,

The yeas and nays were ordered on this question, on the call of Mr. *King*,

Mr. *Webster* then rose, and gave his sentiments in opposition to the bill. He paid, in the commencement, a tribute to the purity, zeal and ability of the senator from Kentucky, for whom he had so long entertained a high respect, and to elevate whom to a situation where his talents might be still more beneficial to his country, he had zealously labored. He also complimented the talents and services of the senator from South Carolina, with whom he had so often acted, and for whom he had always felt a sincere regard. He briefly reviewed his own course, when the former bills on the subject of the tariff were under consideration, and the conviction which was forced on the east, and other portions of the country, that the protective system was to be the settled policy of the government. New England had resisted, in the first instance, the establishment of a high protective policy; but when that was determined on, the eastern states turned all their natural advantages, and their capital of

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wealth and industry, into the new channel thus marked out for them. The bill of 1826 was to carry out the promises made by the bill of 1824. He disliked the bill of 1828, yet be had voted for it on account of that feature in it which gave the woollens the protection which the government had pledged itself to give by the law of 1824. That bill decided the policy of the country, unless it was to be kept in a state of perpetual fluctuation and uncertainty.

After passing the law of last session, a law containing some features of concession and compromise, when the country was not prepared for any change, the present bill, professing to be a bill of peace, of arrangement and of compromise, is brought forward by the distinguished senator from Kentucky, who professes to have renounced none of his former opinions as to the constitutionality and expediency of protection. The bill is also supported by a gentleman whose opinions are directly the reverse of those entertained by the senator from Kentucky. When it was supported by such opposite feelings, it was important to look into the provisions of the bill. He stated the various considerations which ought to weigh with those who, as friends of the protective system, voted for this bill.

He did not object to the prospective and biennial reductions made by the bill up to 1841, but he objected to the clauses which did, in effect, prohibit the repealing action of any subsequent congress upon this bill until 1842. He also objected to the proviso in the sixth section, which was a restriction on the power of congress. He put it to the senator from Tennessee. (Mr. *Grundy*), who had introduced the clause, to say if he did not intend that it should show that congress was to be considered as bound by the bill, as far as this congress could bind the future legislation of the country.

*The protected articles may, by this bill, be reduced below 20 per cent. ad valorem, but cannot be raised above 20 per cent.*

He opposed the bill because it imposed a restriction on the future legislation of congress. He also opposed it, because it seemed to yield the constitutional power of protection. Various arguments were advanced by him to show that the southern politicians would, if this bill were passed, tell every one of their constituents, that they had gained some concession to the opinions of the south. He said that he approved the sagacious silence of the southern gentlemen. They would not suffer themselves to be provoked by friend or enemy to speak before the time should come when they ought to speak. They were masters of the game, and they knew it. He commended their policy, but he wished them to see that he understood it. In giving up specific duties, and substituting *ad valorem*, the bill had abandoned the policy of all wise governments, and the policy of our own government, and the policy always advocated by the senator from Kentucky. He viewed the bill as a surrender of the interests of the smaller capitalists, and a concession in favor of overgrown monopolies. He pointed out the effects of this surrender on our own condition, and the handle which it would give to satirists, and foreign writers, and the poets laureate of all the monarchies of Europe, to turn our institutions and our pretensions into ridicule. If this principle were carried into our navigation, he stated that it would be immediately countervailed by Great Britain. By limiting our countervailing power, and leaving the countervailing power of Europe free, we put in her hands weapons to destroy us, and cast our weapons of defence at her feet. Under a colonial system, our manufacturers would not be more completely shackled than they will be by this bill.

He referred to the four powers by which the senator from Kentucky had said that our protective system could be preserved. 1st, prohibition. 2dly, the free list. 3dly, incidental protection—all of which would be found inadequate,—and the 4th, discrimination, or specific duties, was the only one which would avail. Discriminating and specific duties were the last resource, and if that were to be given up, there could be no longer any hope for the protective system, in war or in peace. He insisted, that not being owners of the property, but merely agents or administrators, we had no right to fetter a future congress. He regarded this bill as the last will and testament of this congress, which would be set aside by the people, but not on the ground of want of sanity in those principally engaged in making it, for he never saw gentlemen more fully in possession of that sagacity, nor on account of any undue influence, although he could not help thinking that panic had something to do with it, and that if the South Carolina ordinance and replevin law had not appeared, this bill would never have appeared in the senate.

In reference to the practical effect of the bill, he stated that he saw obstacles to the carrying this bill into effect, which appeared to him to be insurmountable. He thought that it would be difficult to ascertain the legal value of cotton. He took a view of the different values attached to cotton, and of the professional constructions to which the clause concerning cotton would be subjected. In relation to iron also, he thought that the difficulties in ascertaining the value would be such as to render the provision concerning that article inoperative. The duties on iron having hitherto been specific, no principle of valuation had been laid down. He considered that there was no legislative provision by which the value on iron could be assessed. The same remarks were applicable to sugar; and he stated a case to show the difficulty which exists in reaching a proper and fixed value as a basis for duty. He supposed the answer would be, that if difficulties arise, the secretary must get through them as well as he can; and if he cannot he must come to congress.

As a measure of finance, he had no idea that the bill would be an efficient measure. He had not heard the assertion that the bill would at all reduce the revenue. He denied that the reduction of duties on boots and shoes and clothing would reduce the revenue. The bill would, in these branches, reduce thousands of mechanics to ruin, and by this operation would increase the revenue. In this point, the bill aims a deadly blow on the poor, the young, the enterprising; on the labor and the ingenuity of the country. By the introduction of foreign alcohol, at a reduced rate of duty, the revenue would be increased; but he thought gentlemen should pause before they sanctioned this change. The entire breaking up of the printing establishments for printing calicoes would be one of the consequences of the passage of the bill; and in proof he read some extracts from a memorial of the Lowell manufacturers. These institutions might survive the three first reductions, but the fourth would be fatal to them. On the spinning and weaving, the effect, if not so disastrous, would scarcely be less objectionable. The large capitalists in that branch would be able to make money by breaking down all young and enterprising establishments. In reference to woollens, with a duty of 20 per cent. on woollens, and 20 per cent. on wool, it is impossible that they can stand. The depreciation of property would be the first consequence, and the depreciation of credit the next; and, by the surrender of their interests, long before this benificent home valuation can come to their relief, their eyes will be sealed in death. As to iron, English iron or Wales costs 26 dollars a ton, and the supply is inexhaustible. Iron in Russia and Sweden costs 40 dollars a ton. English iron has been taxed 30 dollars, and Baltic iron 18 dollars a ton. The change from specific to ad valorem duty will work an injurious change. He believed that this surrender once made, we could never return to the present state of things, without such a struggle as would shake the country more than any thing has yet shaken it.

He might be wrong. There might be no pledge, no constitutional objection; but if so, why this bill? The people will not expect the passage of this bill. There was no expectation at the commencement of this short session that such a bill would be passed. The senate had not had time to know the pleasure of their masters. No opportunity had been offered for obtaining a knowledge of either the course of public opinion, or the effect of this measure on the public interests. It was said the next congress would pass this bill if it was not passed now. He did not fear the next congress; but if that body should choose to undo what was now done, it would have the power so to do.

If it was true, as the senator from Kentucky believed, that the intention of South Carolina was merely to enter into a law suit with the United States, then there was no necessity for this sacrifice of great interests. He believed that if this bill should become a law, there will be an action on the part of the people at the next session to overthrow it. It will not be all requiem and lullaby when this bill shall be passed. On the contrary, he believed there would be discord and discontent. He had already expressed his views as to reduction in his resolutions. He believed there ought to be a reduction to the point of necessary revenue; and that, as soon as that point could be ascertained, any congress would be able to make a tariff which would suit the country. The estimates of the secretary of the treasury as to the point of revenue, vary materially from those of others, but if the true point could be ascertained, he thought congress might at once proceed to an adjustment of the tariff with a prospect of success.

As he had commenced with doing justice to the motives of the gentlemen on the other side, he asked that equal justice might be done to him in the opposition which he was compelled to make to a measure which had been ushered in with so much profession of peace and harmony. He would do as much to satisfy South Carolina as any man. He would take this tariff and cut it down to the bone: but he did not wish to rush into untried systems. He believed that his constituents would excuse him for surrendering their interests, but they would not forgive him for a violation of the constitution.

Mr. *Clay* replied to the senator from Massachusetts. He paid a high tribute to the patriotism and purity of that gentleman, and said that he felt a deep and lasting regret that he had now to differ with him. He was happy, however, to find himself connected with his friend from Maine, with whom he had acted in the final adjustment of the Missouri question. He suggested that if the senator from Massachusetts could not make some appeal to a future congress for forbearance, he must be opposed to all compromise. He repudiated any share in bringing the existing evils on the country, and declared that when he saw the torch applied to a favorite system, he would rush to save it, and to restore security and peace. The honorable member had seen nothing within the last six months, calculated to shew that the tariff was not in danger. Had that gentleman not witnessed the results of the recent elections? Had he not heard the message which had been received from the president? Did he not know that a majority of the friends of the administration were opposed to the tariff? He wished to put the system on a permanent foundation for nine or ten years, that the manufacturer may go to his pillow at night without a fear that the system would be overthrown before morning. If he should have been able to convert a set of politicians, who had heretofore been steadily opposed to the protective system, into high tariff men, he should rejoice that he had been so successful in making proselytes. He maintained that the act of 1824 resorted to the policy of making a tariff without regard to revenue. He (Mr. C.) wished

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to be clearly understood as to the points which he had relied on for the protection of the industry of the country. He had named, 1st, prohibition—2dly, the imposition of high duties without regard to the amount of revenue—3dly, a limitation of the revenue affording protection as far as he could—and 4thly, by encouraging the manufacturers by letting in articles free of duty. He might have added a 5th mode, by regulating sales by auction, an important object which the manufacturers had solicited congress to accomplish, but which had not yet been done.

He expressed his willingness to have the effect of his bill to be decided by the opinions of the manufacturers themselves, a large number of whom are now assembled in Washington, and whose almost unanimous voice would be in favor of his bill. He referred to correspondence to prove that the bill before the house would be ruinous to their interests, while the bill before the senate would remove all fear of ruin. In reference to iron, he reminded the senator from Massachusetts, that, by a new process called coking, iron would soon be manufactured in this country at as low a rate as in England. His whole objection to the argument of the senator was, that he bounded forward to 1842, and undertook to phrophesy what would be the state of things at that period. He would as soon rely on the forecast of the senator from Massachusetts as on any member of the senate, or of the community; but he could not believe that the senator could see results which would be found to be dependent on so many contingencies. An American statesman will look abroad upon all the interests of the country, and would comprehend in one view all its condition. He was as insensible to fear as any one, and therefore the imputation that this measure was introduced under the influence of a panic, could not affect him. But he could not be insensible to the change which had taken place in the situation of things, even since the commencement of the session. At that time South Carolina [illegible] since then, Virginia had sent a commissioner, or a minister, to South Carolina, to induce her to delay her operations of hostility. If South Carolina should accede to her request, will not Virginia go with her in her ulterior measures, in case her grievances should not be redressed? Civil war might be the result. He was not willing to apply the sword to reduce the south to obedience. Not that circumstances might not arise, which would render it necessary to resort to force. But in reference to a foreign power, there was always a reluctance to engage in war, until every effort at negotiation had failed: and, if there was this unwillingness to engage in foreign war, how much more reluctance ought there to be to engage in a war at home, in a contest in which he who commands in chief might not be willing to stop until he should have placed himself on a throne. He did not fear any misconstruction of the pledge contained in the bill; and he hoped that the manufacturers would go on and prosper, confident that the abandonment of protection was never intended, and looking to more favorable times for a renewal of a more efficient tariff.

He saw no difficulty in putting an estimate on the value of cotton. Congress lays down the principle, and it will remain for the secretary of the treasury, under the direction of the president, to carry the law into effect. The rule is prescribed, and he could not anticipate any difficulty in acting upon it. He went somewhat at large into statements and arguments to sustain his position in reference to cotton. In the worst form of construction which could be put on the law by the secretary of the treasury, the cotton interest would enjoy a sufficient protection until the year 1841. He shewed what would be his own construction, which would leave that interest in a still better condition. It would be competent, however, for congress, who would again be in session before this law could go into effect, to correct any errors which might be made. In reference to the powers of the secretary to cause a proper appraisement to be made, he quoted from the act of 1832; but repeated that any difficulty in this matter could be obviated by congress at its next session. He referred to the reductions which would be effected by this bill in the article of silks, and in other items. But even if the reductions should be down to the revenue point, there was a reservation to augment or diminish the revenue as circumstances might require. He stated that the last series of gradations in 1841 would leave the duties on woollens at 38 per cent. There were, he said, two classes of manufacturers, the political and the business manufacturers. The political manufacturers were unwilling to give up any thing; but there was not a business manufacturer within his knowledge who was not satisfied with the present bill. He explained his bill as going on the broad principle of looking to the interests of all, and embracing the safety and security of all, and the conciliation of the country. He asked if the senator from Massachusetts was not willing that opposite interests should unite for the purpose of bringing about harmony and good feeling. The south had given up her constitutional objections, and had also yielded the home valuation, and it could not be said, therefore, that there had been no sacrifice of her interests. There had been, therefore, no abandonment of principle, but all parts of this great family had come together prepared to make mutual concessions for the purpose of restoring harmony.

[It being near 4 o'clock, a motion was made by Mr. *Wilkins* and Mr. *Ewing*, in succession, to take a recess for two hours, but on some opposition made by Mr. *Calhoun* and others, Mr. *Clay* said he was willing to hobble on, and the motion was withdrawn.]

Mr. *Clay* then resumed, and stated that the manufacturers of iron would more readily be satisfied by this bill than other proposition which had been offered. There were some who had said, let the tariff go down, if the next congress chooses, there will be a reaction afterwards, but he thought that these gentlemen took counsel of passions above which it was the duty of statesmen to elevate themselves. He was for encountering no certain danger for the purpose of providing some uncertain good. He wished to compromise all interests, and it was with this same policy, that he had proposed another great measure, which had twice received the sanction of a majority of the senate. He would not acquiesce in the views of those who relied on reaction. Similar was the expectation, at the last session, but there had been no beneficial result. He was for conciliating all interests, let whomsoever might fail, and whomsoever might succeed. He regretted that the bill, in select committee, had been injured by striking out the clause making cotton free, and stated that this was not done by his vote, or by that of his friend from Delaware. Still it was a measure calculated to promote the great object for which it was introduced. He was not disposed to throw himself forward to 1842, but he did not think that there was any cause for apprehension as to the provisions which look to that period.

The opponents of the bill would send out a flaming sword: the friends of the bill would send out a flaming sword, accompanied by the olive branch. The gentleman from Massachusetts had thought proper to say that he (Mr. *Clay*) would have voted for the revenue collection bill. It was true he would have voted for it, but he felt no new born zeal prompting him to make speeches on the subject.

He thought of the administration as he always had thought, and he had determined to leave it to the friends of the executive to bear themselves out in defence of the bill. He would have voted for it, but it would have been with reluctance, because of the consequences which may result from the measure. He stated that, with some exceptions, as to the high-toned doctrines which were to be found in the document, he approved of the general tone of the proclamation of the president, and of his message to the senate on the subject of South Carolina.

The opponents of this bill rely on force; its friends cry out force and affection. One side cries out—power! power! power! The other side cries out power, but desires to see it restrained and tempered by discretion and mercy, and not to create a conflagration from one end of the union to the other. He believed the gentlemen who opposed the bill did not wish for civil war, but the defeat of the bill would lead to consequences to be deplored. And he would not wish to see sacked cities, desolated fields, and streams of American blood shed by American citizens.

He had been accused of ambition in introducing this measure. He despised the grovelling spirits from which the charge came, and dismissed the accusation to the winds. If congress would pass this bill, he would willingly retire to his home, to the groves of Ashland, where he could find a fidelity and an affection which he had not always found in public life.

Mr. *Smith* said this bill did not reduce the revenue one dollar. There will be no reduction, but the importations would be restricted.

After speaking for a few minutes, Mr. *Smith* gave way at half past 4, and

Mr. *Silsbee* moved that the senate take a recess till 6 o'clock—ayes 17, noes 19. So the motion was negatived.

Mr. *Smith* then resumed, and went into a review of the various sections of the bill. He agreed with the senator from Massachusetts that this bill repeals the whole of the ground on which our revenue system was built.

Mr. *Robbins* then moved that the senate take a recess till 6 o'clock—ayes 17, noes 17.

The *chair* voting in the affirmative, it was ordered that the senate take a recess till 6 o'clock.

*Evening session.*

At 6 o'clock the senate re-assembled its session, and resumed the consideration of the tariff bill; when

Mr. *Smith* said a few words against the bill.

Mr. *Bell* spoke briefly in favor of the bill.

Mr. *Dickerson*, after some remarks moved to *recommit* the bill to the committee from which it was reported, *with instructions* so to amend it that the gradual reductions of duties shall not be more unfavorable to those articles which are subject to a specific duty than to such as are subject to ad valorem duties.

Mr. *Grundy* asked the yeas and nays on the motion; which were ordered.

Mr. *Sprague* made a few remarks in favor of the bill.

Mr. *Dickerson* made some observations.

Mr. *Clay* then rose, and said that as it was understood that a similar bill had been ordered to be engrossed for a third reading in the other house, he would move that the senate now adjourn. The senate then adjourned.

*February* 26. The following resolution offered yesterday by Mr. *Bibb*, was taken up and agreed to:

*Resolved*, That the secretary of state be directed to lay before the senate, as soon as his duties will permit, a statement, showing the increase per centum of the white population of each state and territory of the United States, at the several decimal periods from the year 1790 to 1830 exclusive. Also the per centum of increase of slaves and free persons of color, showing the relative proportion which such increase may bear to the white population; also, the increase per centum of aliens within the same period, and the proportion that increase may bear to native and naturalized citizens. Also the increase per centum of the

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militia force of the United States, together with such other statistical information bearing on the same, as the secretary may deem useful and expedient.

On motion of Mr. *Hendricks*, the senate proceeded to consider the bill for the continuation of the Cumberland road, in the states of Indiana and Illinois.

Mr. *Hendricks* moved to amend the bill, by inserting an additional appropriation of 125,000 dollars, for repairing the Cumberland road east of the Ohio.

The amendment was agreed to; as well as another to authorise a change in the location of a certain part of the road, and the bill ordered to be read a third time.

Mr. *Grundy*, from the joint committee appointed to wait on the president and vice president elect, made the following report:

"The joint committee appointed to wait on the president and vice president elect, and notify them of their election, report that they have performed that duty in part, and have waited on Andrew Jackson, of Tennessee, and informed him of his election to the office of president of the United States, for four years, commencing on the 4th of March next, and received from him, in answer to the communication made by us, that he felt grateful for this manifestation of the continued public confidence and favor, and would endeavor to merit a continuance of the approbation of his fellow citizens, by constant efforts, so to discharge his duties, as to promote the welfare of our common country."

The *chair* laid before the senate a report from the secretary of war, communicating a statement of arms manufactured at the national armories, and expenditures there, which was ordered to be printed.

The resolutions offered sometime since by Mr. *Calhoun* were taken up; and Mr. *Calhoun*, at considerable length, took an opportunity to reply to Mr. *Webster* on certain points made in the debate on the bill further to enforce the collection of duties on imports, and Mr. *Webster* rejoined. Messrs. *Sprague* and *Forsyth* also made a few remarks. After which Mr. *Calhoun* consented that his resolutions should be laid on the table, without an intention to call them up again.

The bill from the house to modify the act of the 14th of July, and other acts imposing duties on imports, was read a first time, and ordered to a second reading.*

The bill of the senate on the same subject was then laid on the table. The senate then adjourned.

[Mr. Calhoun's constitutional argument this day, and Mr. Webster's reply were very interesting, and shall be preserved. In the course of his remarks, Mr. C. seemed to imply that Mr. W. wished to win favor in a certain quarter—(with the administration), which Mr. C. explained and said he had not imputed such motives—Mr. Webster saying he had no new born zeal, nor had he, in any way, altered his views concerning the administration, &c. Mr. Calhoun alluded to a "particular population in the south." Mr. Webster said that no northern gentleman desired to produce evil out of it—and so Mr. C. said that he believed—but the "inevitable current of things" was to disturb this population.]

*February* 27. The bill to modify the act of the 14th July, and other acts imposing duties on imports, was read a second time.

The bill being then considered as in committee of the whole, Mr. *Clay* then moved that the bill be reported to the senate.

Mr. *Grundy* inquired, if the senator from Kentucky had examined the bill to ascertain if it was the same as the bill which had been before the senate.

Mr. *Clay* replied in the affirmative: and said, that he believed it corresponded word for word with the other bill.

Mr. *Dickerson* moved to amend the bill by adding a provision, that the rule by which the graduation of duties shall be made, shall be the annual report of the state of commerce and navigation, for the last year.

Mr. *Clay* opposed the amendment, because he thought that it was founded on a total misapprehension of the bill. There would be now no difficulty in executing the law, if the secretary of the treasury should take it up in the spirit in which it will be passed. At the next session there will be a month before the bill will go into operation, while there are but three days left of this session, and any amendment made now must hazard the measure. He would take the example of the framers of the constitution and follow it. They said, make the constitution, and let it be amended afterwards, and not now hazard the measure.

Mr. *Webster* said, that although he thought that some amendments were indispensably necessary, yet if the bill were to pass, it ought to pass at once, and he hoped his friend, from New Jersey, would withdraw his amendment, and leave the matter to stand over until next session.

Mr. *Smith*, referring to the state of another bill, said that he would now give notice that he should to-morrow move to lay this bill on the table, until the ensuing bill shall have passed.

Mr. *Clayton* said, that although he was in favor of the principle of the amendment, he should vote against it, because he thought that it would, at this period of the session, hazard the passage of the measure.

Mr. *Robbins* expressed a wish to state his objections to the bill, but on the suggestion of

Mr. *Clay*, who said he would not press the third reading today,

Mr. *Robbins* gave way until the question on the third reading should come up.

The bill was then reported without amendment, and ordered to be read a third time.

Mr. *Chambers* moved to postpone the preceding orders, for the purpose of taking up the joint resolution extending the subscription made to the compilation of documents, now in progress by Gales & Seaton, to the continuation of the same; which was agreed to.

The resolution was then read a second time, and considered as in committee of the whole.

Mr. *Hill* asked what was the cost of the documents already printed. Mr. *Robbins* said he was not prepared to answer.

The resolution was then reported without amendment. The question being on the third reading of the resolution, Mr. *Hill* asked for the yeas and nays, which were ordered.

After a few words from Mr. *Chambers* and Mr. *Robbins*, the question was taken and decided as follows:

YEAS—Messrs. Bell, Black, Chambers, Clay, Clayton, Ewing, Foot, Frelinghuysen, Hendricks, Holmes, Kane, Knight, Naudain, Poindexter, Robbins, Robinson, Seymour, Silsbee, Tipton, Tomlinson, Waggaman, Webster—22.

NAYS—Messrs. Benton, Buckner, Dallas, Dickerson, Grundy, Hill, King, Moore, White—9.

So the resolution was ordered to be engrossed and read a third time.

Mr. *Foot* moved to reconsider the vote of yesterday, by which the resolution offered by Mr. *Buckner* was agreed to. It was his object to refer the resolution to the committee on the library. He said that he was not aware of the extent to which the resolution went, until he saw it in the papers.

The motion was laid on the table.

A great deal of other business was attended to, and variously forwarded for final action—all which will fully appear in the list of acts, &c.

The senate took a recess till 5 o'clock.

*In the evening session*, a large number of private bills were ordered to a third reading.

*February* 28. The following resolution offered yesterday by Mr. *Chambers*, (because of the abandonment of all hope of acting on the subject at the present session) was taken up and agreed to—

*Resolved*, That the secretary of the senate cause to be published during the recess of congress, six hundred copies of the system of civil and criminal laws, reported by the joint committee appointed for that purpose; and also cause an index to the same to be made, one copy whereof shall be delivered to each member of the next congress, and the residue to such persons as may be designated by the said joint committee.

The senate made extra allowances to the door keepers, messengers, &c. and then, spending some time in executive business, took a recess till evening. We have no account of the proceedings of the evening session.

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HOUSE OF REPRESENTATIVES.

*Friday, Feb.* 20. Mr. *Washington*, by leave, presented a remonstrance and memorial of a committee appointed at a large and highly respectable meeting of the citizens of Washington, in general town meeting assembled, on behalf of all the citizens of said city, against the memorial of the Baltimore and Ohio rail road company, which was presented to the house on the 18th inst.; which remonstrance and memorial was referred to the committee on roads and canals.

Mr. *Root* offered the following resolution:

*Resolved*, That the clerk of this house procure for the use of the members two thousand copies of the manual on silk, published by J. H. Cobb, of Dedham, in the state of Massachusetts, provided the cost shall not exceed one thousand dollars.

Mr. *Clay*, of Alabama, moved to lay it on the table.

Mr. *Arnold* demanded the yeas and nays—which being taken stood as follows: yeas 61, nays 74—so the house refused to lay the resolution upon the table.

Mr. *Root* then delivered a very animated speech in its support; in which he commented, with some severity, on Mr. *Clay's* attempt to defeat the measure before a word could be heard in its favor.

Mr. *Clay* rose to reply, when

Mr. *Hoffman* rose and announced to the house the decease of *James Lent*, jr. a member of the house of representatives from the state of New York. After some appropriate remarks, Mr. H. submitted the following resolutions, which were unanimously adopted:

1. *Resolved*, That the members of this house, will testify their respect for the memory of *James Lent*, deceased, late a member of this house from the state of New York, by wearing crape on the left arm for the remainder of the present session of congress.

2. *Resolved*, That this house will attend the funeral of the late *James Lent*, to-morrow, at 11 o'clock, A. M. and that a committee be appointed to take order for, and to superintend, the said funeral.

3. *Resolved*, That a message be sent to the senate to notify that body of the death of *James Lent*, late a member of this house, and that his funeral will take place to-morrow, at 11 o'clock.

The house then adjourned.

*Saturday, Feb.* 23. After attending the funeral of the deceased member, Mr. *Lent*, the house pursuant to adjournment, assem-

*This is Mr. Clay's bill, adopted by the house of representatives and passed, in lieu of Mr. Verplanck's—for the reason assigned in page 1.

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bled at 2 o'clock, but no quorum appearing, a motion for adjournment prevailed, and the house adjourned.

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The following were the observations made by Mr. *Hoffman*, of New York, in announcing to the house the death of his late colleague:

*Mr. Speaker:* It becomes my melancholy duty to announce to the house the death of my friend and colleague, the hon. *James Lent*. After a short illness, but exceedingly severe, he died last evening at a late hour.

I do not intend to detain the house by a detail of his private virtues. As a son he was dutiful to his parents; as a husband, most affectionate to his wife; as a parent, kind and indulgent, but prudent to his children; and their tears and afflictions which I have in part witnessed, are the best testimonials of his private worth.

In early life, destined to the mercantile profession, that spirit of enterprise which characterises our people, led him to visit the farther East—India and China. There, he had an opportunity of observing the manners, morals, religion, and political institutions of those remote and distant nations, and of comparing them with the manners, morals, religion, and political institutions of his native country. That comparison led him to a strong conclusion in favor of our religion and political institutions over those of the most civilised nations of the east—a preference decided and manifest in his whole after life.

As a citizen, he was liberal without ostentation. With a mild and amiable heart, practising the kindest condescension of manner, he was in all things inflexible in his devotion to duty. Instructed by experience, he was always *useful* and always *honest*. If he did not, from the modest diffidence of his temper, mingle publicly in our discussions here, with a correct knowledge of trade and business, he frequently aided by his own the judgment of others.

I have known him well. In an intimate acquaintance of several years while we have been members of this house, in every thing public and private, I have found him eminently distinguished for purity of heart, uprightness of intention, and justness of design. If others here have won my esteem, and many have; none has deserved or acquired a stronger hold on my best affections. As the deceased intimated no wish as to the disposition of his remains, I move you these three resolutions expressive of that respect I feel for him, and in which the house will concur.

*Monday, Feb. 25.* After the morning business, which resulted only in laying certain bills on the table—

Mr. *Wickliffe* moved that the house proceed to the special order of the day, (which is the tariff bill).

Mr. *Bell* hoped the house would not do so until it had first disposed of the bill from the senate.

Mr. *Bouldin* moved a call of the house.

Mr. *Wickliffe* said that if the house proceeded to the order of the day, he hoped they would dispose of the amendments to the bill before it, when he should offer another bill to reduce the tariff, such as he hoped would unite the votes of a majority of the house.

Mr. *Bouldin* withdrew his motion for a call.

Mr. *Wickliffe* then said, that as Mr. *Bell* opposed the execution of the special order, he would ask the yeas and nays upon his motion to execute it. They were ordered by the house, and being taken, stood as follows: yeas 80, nays 106.

So the house refused to proceed to the orders of the day.

Mr. *Vance* moved to go into committee of the whole on the state of the union and take up the bill from the senate on the subject of disposing of the proceeds of the public lands for a limited time.

The *chair* decided that such a motion could not be made until the house had reached the orders of the day.

Mr. *Vance* took an appeal.

The *speaker* explained his decision, and Mr. *Vance* the grounds of his appeal.

Mr. *Wickliffe* then suggested that the vote taken by yeas and nays, refusing to execute the special order of the day, was insufficient to prevent the taking up of that order, inasmuch as the rule to go into the special order every day at one o'clock, had been passed by two-thirds, it would require two-thirds to prevent it.

The *speaker* said it was too late to make this question now, as other business was before the house.

Mr. *Daniel* said he should insist on the same ground, and would take an appeal.

The *chair* said there was already an appeal before the house.

Mr. *Vance*, in order to have the question tried, withdrew *his* appeal.

Mr. *Daniel* then appealed, and insisted that the special order should be executed.

The question of order was argued by Messrs. *Wickliffe, Carson, Taylor, Thompson*, of Geo. *Daniel, Sutherland* and *Dearborn;* after which

Mr. *Daniel* withdrew his appeal.

Mr. *Williams* now moved to postpone all the orders of the day which precede the bill from the senate on disposing of the proceeds of the public lands.

Mr. *Carson* inquired whether the tariff bill was included in the orders?

The *chair* replied in the negative.

Mr. *Carson* appealed from this decision.

The *speaker* said no appeal could lie, as the motion was to postpone all the orders, whatever they might be.

Mr. *Williams* inquired whether two thirds were necessary to postpone all the orders?

The *chair* replied in the affirmative.

Mr. *Williams* then moved the postponement of each particular bill as they were announced in succession.

On postponing a bill in relation to the territory of Michigan, Mr. *Plummer* delivered a long and earnest remonstrance—but the bill was postponed.

On postponing the Virginia military land warrant bill Mr. *Lewis* demanded the yeas and nays, but the house refused to order them.

The house at length arrived at the senate's bill *further to enforce the collection of the revenue.*

The bill was read a first time.

Mr. *Whittlesey* moved that it now have its second reading.

Mr. *Lewis* moved to postpone the bill until to-morrow.

Mr. *Williams* moved to lay the bill on the table.

Mr. *Boon* asked the yeas and nays on the motion. They were ordered and taken—and stood as follows: yeas 58, nays 125.

The bill then had its second reading.

Mr. *Carson* moved to *refer* the bill to the committee of the whole on the state of the union.

After some discussion on this motion—

Mr. *Bell* moved to postpone the bill to to-morrow.

The debate continuing with great animation—

Mr. *Wickliffe* moved a postponement till Thursday.

The debate continued with increasing earnestness until 5 o'clock, when the question was decided by yeas and nays as follows—yeas 77, nays 108.

Mr. *Bates*, of Maine, moved to postpone till Wednesday; which, after a short discussion, was also negatived by yeas and nays—yeas 84, nays 99.

Mr. *Wickliffe* immediately moved that the house proceed to execute the special order, by taking up the tariff bill.

The motion prevailed, and on motion of Mr. *Letcher*, the house went into committee of the whole, under instructions to strike out the body of Mr. *Verplanck's* bill, and insert that of Mr. *Clay*, from the senate. This was done. The bill was reported to the house, and after a brief debate it was ordered to its third reading—yeas 105, nays 71. The house adjourned at half past 8 o'clock.

*Tuesday, Feb. 26.* Mr. *Hogan* moved to refer the report of the naval committee, in regard to alleged abuses in the navy, together with the accompanying papers, to the secretary of the navy.

Mr. *Watmough* made a spirited opposition to the motion, and in vindication of the officers of the navy, concluded by moving to lay the subject upon the table.

Which motion was agreed to.

The other morning business will sufficiently appear in its progress. The house proceeded to the orders of the day.

The tariff bill, as amended, by inserting the whole bill of Mr. *Clay*, in the shape in which it has been ordered to a third reading in the senate, was read a third time, and the question being on its passage—

Mr. *Huntington*, after a few remarks on the great importance of this question, moved a call of the house.

The house was called accordingly.

It appeared that 201 members were present.

Mr. *Burges* moved to suspend further proceedings on the call, but the motion failed—ayes 69, noes 78.

The doors were then closed, and the excuses of absentees received. Proceedings were then suspended, and the doors of the hall again opened.

Mr. *Burges* remonstrated very warmly against the passage of the bill; and in the course of his remarks adverted with some severity to the agency of Mr. *Clay*, in originating the measure.

Mr. *Jenifer* replied with warmth to this part of the speech, and vindicated the purity of Mr. *Clay's* motives and purposes.

Mr. *Foster* said his constitutional objections to the bill had been removed by a closer examination of its provisions. Still he did not like the bill, but was willing to take it as an experiment.

Mr. *Denny* delivered, at considerable length, the reasons that would induce him to vote against the bill.

Mr. *Daniel* replied to the remarks of Mr. *Burges* in respect to Mr. *Clay*, and vindicated the general objects of the bill. He demanded *the previous question;* but withdrew his motion at request of

Mr. *Burges*, who briefly, but very severely rejoined.

Mr. *Sutherland* then made a highly animated speech in opposition to the bill.

Mr. *Carson* demanded the previous question; but the motion failed, only 65 rising to second it.

Mr. *Bates*, of Maine, then gave the reasons why he should vote for the bill; and

Mr. *Pendleton* stated the grounds upon which he should vote against it.

Mr. *McDuffie*, though not believing the bill proposed to make to the south all the concession to which they were justly entitled, yet he believed, such as it was, it would give peace to the country, and therefore would vote for it.

Mr. *Speight* moved the previous question, but immediately withdrew the motion.

Mr. *Huntington* asked for the yeas and nays on the passage of the bill, which were ordered.

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Mr. *Bates*, of Mass. made his protest against the bill, as a total surrender of the principle of protection.

Mr. *Williams* now moved for the previous question.

The motion was seconded—ayes 93, noes 65.

Mr. *Dickson* called for the yeas and nays on the previous question, and they were ordered by the house.

The previous question was then put as follows:

Shall the main question be now put?

The yeas and nays being taken, stood—yeas 108, nays 85.

The main question, viz: shall this bill pass? was then put, and decided by yeas and nays, as follows:

YEAS—Messrs. Adair, Alexander, Chilton Allan, R. Allen, Anderson, Angel, Archer, Armstrong, Arnold, J. S. Barbour, Barnwell, Barringer, James Bates, Bell, Bergen, Bethune, James Blair, John Blair, Boon, Bouck, Bouldin, Branch, John Brodhead, Bullard, Cambreleng, Carr, Carson, Chinn, Claiborne, Clay, Clayton, Coke, Connor, Corwin, Coulter, Craig, Creighton, Daniel, Davenport, W. R. Davis, Doubleday, Drayton, Draper, Duncan, Felder, Findlay, Fitzgerald, Foster, Gaither, Gilmore, Gordon, Griffin, Thomas Hall, William Hall, Harper, Hawes, Hawkins, Hoffman, Holland, Horn, Howard, Hubbard, Irvin, Isacks, Jarvis, Jenifer, Richard M. Johnson, Cave Johnson, J. Johnson, Kavanagh, Kerr, Lamar, Lansing, Lecompte, Letcher, Lewis, Lyon, Mardis, Mason, Marshall, Maxwell, Wm. McCoy, McDuffie, McIntire, McKay, Mitchell, Newnan, Newton, Nuckolls, Patton, Plummer, Polk, Rencher, Roane, Root, Semmes, Sewell, Wm. B. Shepard, Aug. H. Shepperd, Smith, Speight, Spence, Stanberry, Standifer, F. Thomas, P. Thomas, Wiley Thompson, John Thomson, Tompkins, Verplanck, Ward, Washington, Wayne, Weeks, Elisha Whittlesey, Camp. P. White, Edward D. White, Wickliffe, Williams, Worthington—118.

NAYS—Messrs. Adams, H. Allen, Allison, Appleton, Ashley, Babcock, Banks, N. Barber, Barstow, I. C. Bates, Beardsley, Briggs, John C. Brodhead, Bucher, Burd, Burges, Cahoon, Chandler, Choate, Collier, L. Condict, S. Condict, E. Cooke, Bates Cooke, Cooper, Crane, Crawford, J. Davis, Dayan, Dearborn, Denny, Dewart, Dickson, Ellsworth, Geo. Evans, Joshua Evans, Edward Everett, Horace Everett, Ford, Grennell, Hiland Hall, Heister, Hodges, Hogan, Hughes, Huntington, Ihrie, Ingersoll, Kendall, Kennon, Adam King, John King, Henry King, Leavitt, Mann, McCarty, Rob't McCoy, McKennan, Mercer, Milligan, Muhlenburg, Nelson, Pearce, Pendleton, Pierson Pitcher, Potts, Randolph, J. Reed, Edward C. Reed, Russel, Slade, Southard, Stephens, Storrs, Sutherland, Taylor, Vinton, Wardwell, Watmough, Wilkin, Wheeler, Fred'k Whittlesey, Young—84.

So the bill was *passed*, and sent to the senate for concurrence.

Mr. *Williams* now moved to postpone all the orders of the day, both general and special, which precede the senate's bill for the disposition of the proceeds of the public lands. He, however, consented to withdraw this general motion, and allow the orders to be called separately.

They were so called; and when the house had reached the bill for allowing the heirs of Winter to sue the United States to try their title,

Mr. *Plummer* made an effort to induce the house to discuss that bill; but the house refused; and, on motion of Mr. *Irvin*, it was laid upon the table.

The house having at length arrived at the bill further to provide for the collection of duties on imports—

Mr. *Williams* moved to postpone this bill until to-morrow.

Mr. *Irvin* demanded the yeas and nays on the motion. They were taken, and stood as follows: yeas 81, nays 105.

So the house refused to postpone the bill.

Mr. *Daniel* now moved to lay the bill on the table, and demanded the yeas and nays on that motion. They were ordered by the house. He, however, consented to withdraw the motion at the request of Mr. *Arnold*, who promised to renew the same motion.

Mr. *Arnold* then said he should change his course in relation to this bill, in consequence of the house having passed the bill reducing the tariff. Mr. A. was going into some remarks on the mockery of passing such a bill now, when he was called to order by the *chair*. After trying several motions, with the view of having it in order to proceed in his remarks, Mr. A. relinquished his design, and, according to promise, moved to lay the bill on the table.

The yeas and nays were demanded on this motion, and being taken, they stood as follows: yeas 58, nays 132.

So the house refused to lay the bill on the table.

Mr. *Mardis* moved that the house now take a recess until 6 o'clock, and demanded the yeas and nays, but withdrew his motion; when

Mr. *Dearborn* moved the previous question on the bill.

The *chair* was ascertaining whether the motion was seconded, when

Mr. *McDuffie* rose and asked leave to address an appeal to the house.

The *speaker* was proceeding in the count, when

Mr. *McDuffie* insisted on being heard.

Great confusion arose: but amidst cries of "order" and "count," Mr. McD's voice was heard, saying that all he asked was fair discussion. If gentlemen were disposed to hear the opponents of the bill, he was ready to meet them, but if not, and if he could get forty men to stand by him, he would continue to move adjournments and call for yeas and nays until the end of the session.

Mr. *Carson* exclaimed "I will support you, sir"—several other voices cried out in a similar manner.

The *speaker* called to order.

Mr. *Bell* rose and began to speak, but his words were inaudible from the noise.

Mr. *McDuffie* moved repeatedly to adjourn.

The *speaker* called him to order, and admonished him that a member was on the floor.

As soon as the reporter could hear any thing distinctly,

Mr. *Bell* was saying, that he had no wish to cut off discussion, if that was what the opponents of the bill desired; and if they were ready to discuss its merits, and not to put it by, he should not sustain the motion for the previous question.

Mr. *McDuffie* moved that the house adjourn.

The *chair* decided the motion to be out of order, the house having previously resolved, that it would at a certain hour take a recess, and meet at 6 o'clock.

Mr. *Wayne* believed the bill to be right in itself—but yet, circumstances might be such as to induce those who thought so to vote against it.

Mr. W. said he should vote for the bill; but, if his friends, by cutting off debate, should refuse to him and others, the opportunity of expressing their sentiments, and vindicating their own course before the people, he should not vote against it; and there were twenty more that would do the same.

Mr. *Bell* made some remark not heard by the reporter, which led to an explanation between him and Mr. *Wayne*—who concluded by moving a recess until 6 o'clock.

A desultory debate on the question of order now arose, on an appeal taken by Mr. *Carson*, on the speaker's decision, that a motion to adjourn was out of order, which ended in Mr. *Carson's* withdrawing his appeal.

Mr. *Dearborn* explained his reasons for having moved the previous question—which was not to prevent fair discussion, but to prevent a circumventive course, calculated to get rid of or defeat the bill.

Mr. *Daniel* and Mr. *Dearborn* had some further, rather colloquial, discussion; when the hour of four having arrived, the house took a recess till 6 o'clock.

*Evening session.*

The house met at 6 o'clock, and proceeded in committee of the whole, Mr. *Taylor* in the chair, to the consideration of District business, on which it was still engaged at 8 o'clock, at which time the following bills had been considered and laid by, to be reported to the house, viz:

A bill to incorporate the Georgetown orphan asylum and free school.

A bill to improve the navigation of the Potomac river, between Georgetown and Alexandria.

A bill in addition to an act vesting in the corporation of Washington all the rights of the Washington canal company. [To take back the Mall lots, and allow in lieu thereof, to the city, $150,000].

A bill concerning a penitentiary for the District.

A bill granting certain lots to the president and directors of Georgetown college.

A bill in relation to the Potomac bridge.

*Wednesday, Feb. 27.* After some private or local business had been disposed of

Mr. *Adams* moved to discharge the committee on manufactures from the consideration of so much of the president's message as relates to the protection of domestic manufactures, and from all other matters referred to them; and asked leave to present a report from the minority of the committee on the matters in the message.

At the suggestion of Mr. *Hoffman*, the motion was divided, and the question first taken on discharging the committee, and agreed to.

Mr. *Hoffman* then said that if leave should be given to present the report of the minority, he would ask for its reading, at least in part.

The report was then presented, and the reading of it commenced, and continued until 12 o'clock, when the house proceeded to the orders of the day.

Certain bills relating to the affairs of the District of Columbia were read a third time and passed.

The senate's bill further to provide for the collection of the revenue (the enforcing bill), coming up in order,

Mr. *Verplanck* moved to postpone its consideration until to-morrow, with a view to take up the appropriation bills.

Mr. *Wickliffe* gave notice of his purpose to make a question of order whether this bill could be discussed in the house before it was discussed in committee of the whole.

On the question of postponement a very animated and somewhat desultory debate arose, in which it was very difficult to avoid running into the merits of the bill.

The gentlemen who participated in the debate were Messrs. *Cambreleng*, *Bell*, *Sutherland*, *Howard*, *Wickliffe*, *Dearborn*, *Verplanck*, *Wayne*, *Daniel*, *Hoffman*, *McDuffie*, *Blair*, of South Carolina, *Beardsley*, *Clayton*, *Burges* and *Hawes*.

When the question was at length taken, and decided by yeas and nays as follows: yeas 70, nays 127.

So the house refused to postpone.

Mr. *Carson* now rose to address the house, and had proceeded some time, when

Mr. *Wickliffe* rose to make the question of order, to which he had before alluded, whereupon a very confused scene ensued—

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the particulars of which, together with the other details of the debate, we must for the present defer. The result was that the decision of the *chair* was sustained by the house, and Mr. *Carson* was permitted to proceed: he thereupon resumed, and continued to occupy the house in opposition to the bill until near 4 o'clock, when, on motion of Mr. *Clayton*, the house took a recess till 6 o'clock.

Among the proceedings of this day, we have the following:

On the bill further to provide for the collection of duties on imports—

Mr. *McDuffie* said—A bill which might be regarded as the olive branch had been passed and sent to the senate—he would put it to the justice and magnanimity of the house whether the olive branch should be followed by the *sword of blood*. There was no necessity for this bill. The other bill would be found to carry healing efficacy with it. If any thing could convert it into a curse it would be the present bill.

Mr. *Blair*, of South Carolina, said his colleague had expressed an opinion that the tariff bill which had been sent to the senate was the olive branch of peace—that might be his opinion as an individual. It was not in the power of that or any other gentleman here to express the sentiments of the convention of S. Carolina which had solemnly declared, that unless the whole protective system be overthrown, the revenue laws should not be executed. The house had no right to presume that the convention would recall this declaration in consequence of the passage of a bill which contained protection throughout all its provisions.

For himself, he was indifferent on the subject; but it should be remembered, that unless some effectual measures were adopted, a large part of the population of South Carolina were exposed to confiscation and punishment for paying obedience to your laws.

Mr. *Burges* said it would not be suspected of him that he was a friend to the present administration. He was a friend to the laws of the land, and, to ensure their execution, it was altogether essential that this bill should pass. Is it necessary, before we provide for obedience to the laws, that we should be informed whether South Carolina intends further to resist them? He was willing to admit that gentlemen, intimately connected with the recent course taken by that state—with what degree of credit to themselves history will inform the world—had expressed opinions that the bill sent to the senate would be satisfactory to the people of that state. Where then is the harm of passing this bill? If they intend to obey the laws, no provision in this bill could touch them. The objection on the part of that state could only arise from a determination to resist the execution of the laws which had been nullified, which formed the basis of the bill sent to the senate. Without this bill that measure was only throwing a volume of paper upon the burning flames.

*Evening session.* The house, at 6 o'clock, resumed its sitting—when Mr. *Clayton*, of Georgia, who had the floor, delivered a very animated speech in opposition to the revenue collection bill.

Mr. *Isacks* replied ably, and insisted on the necessity of passing the bill to vindicate the authority and honor of the government.

Mr. *Blair*, of South Carolina, followed on the same side, and made some pretty severe animadversions on nullification and secession, &c.

Mr. *Root* delivered an animated speech against the bill.

Mr. *McDuffie* expressed his desire of being heard before the bill should pass, and moved that the house adjourn. The house then adjourned, [at about 10 o'clock].

*Thursday, Feb. 28.* After various resolutions, &c.

The *speaker* laid before the house sundry communications, viz.

1. A letter from the secretary of war, transmitting a statement of the expenditures incurred, and of arms manufactured at the national armories in the year 1832; which letter and statement were laid on the table.

2. A letter from the secretary of state, transmitting an abstract of all the returns made to the department of state, by collectors of the different ports, for the year 1832. And, also, an abstract of all the passengers which arrived in the United States, during the year ending September 30, 1832; which letter and abstracts were laid on the table.

3. A letter from the first comptroller of tha treasury, transmitting a list received from the register of the treasury, of the balances standing on the books of the revenue, which have remained unsettled by collectors of the customs, and others, or appear to have been due more than three years prior to the 30th of September last; which letter and list were laid on the table.

4. A letter from the postmaster general, transmitting a list of the names of the persons employed as clerks in his department during the year 1832, with the salary of each; which letter and list were laid on the table.

Mr. *Adams* moved that the further reading of the report made by him from the minority of the committee on manufactures be dispensed with, and that it be laid on the table and printed.

Mr. *Hoffman* demanded a division of the question.

It was divided accordingly.

The motion to lay on the table was agreed to.

On the question of printing, Mr. *Hoffman* addressed the house in opposition to it; and went into a statement of facts in relation to the report. He said it had never been submitted to the committee in time for its action. It purported to be a counter report, or report of the minority; but where was any report from the majority? It was new to ask a majority to agree to the report of a minority, which they had never had an opportunity even to hear. Mr. H. dwelt on the mischievous tendency of such a practice, if sanctioned by the house. He insisted there was nothing either in the substance or manner of the paper, which ought to induce the house to print it. It was neither a report or counter report, but a speech—an argument of an individual. Mr. H. was proceeding to enter on the subject-matter of the paper, when Mr. *Bell* called for the orders of the day.

The house then resumed the consideration of the bill further to provide for the collection of the revenue.

Mr. *McDuffie* rose and addressed the house with much animation, in opposition to the bill.

Mr. *Wayne*, of Georgia, next obtained the floor; but, before he began, a motion was made for a recess till five o'clock, and carried.

*The evening session.* An account of the proceedings has not been received—but the debate was going on at a late hour, with an avowed determination to press the question before the adjournment.

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The National Intelligencer says—In our report of the debate in the house of representatives upon the bill to make a loan to the city of Washington, we are now apprised that a material part of the amendment submitted by Mr. *Howard* was omitted. The persons proposed to be appointed by the president were, in addition to other duties, "to pronounce what ought to be performed by either or both, (the canal and rail road companies), on principles of law, justice, equity and a true regard to the public good."

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MR. CLAY'S BILL—YEAS AND NAYS.

We were about preparing a view of the vote on this bill, in the house of representatives, by states—when the following, from the Baltimore "American" of Thursday last presented itself.

The vote on the passage of the new tariff bill, in the house of representatives, is of so much general interest that we have thought that a table of the votes arranged according to the states represented would not be unacceptable to our readers. We have taken the report of the Intelligencer of yesterday morning, in which there appears however to be an error of addition. We make the number, as in the table below, 120 ayes, to 84 noes,—instead of 118 to 85 noes.

MAINE. *Ayes*—Anderson, James Bates, McIntire, Holland, Kavanagh, Jarvis. *Nay*—Evans.

NEW HAMPSHIRE. *Ayes*—Brodhead, Harper, Hubbard, Weeks. *Nay*—Chandler. *Absent*—Hammons.

MASSACHUSETTS. *Ayes*—None. *Noes*—Hodges, Dearborn, I. C. Bates, Choate, Adams, Davis, Briggs, E. Everett, Grennell, Appleton, John Reed, Kendall, Nelson.

RHODE ISLAND. *Ayes*—None. *Noes*—Burges, Pearce.

VERMONT. *Ayes*—None. *Noes*—Cahoon, Everett, Hall, Slade, Heman Allen.

CONNECTICUT. *Ayes*—None. *Nays*—Barber, Ellsworth, Huntington, Ingersoll, Storrs, Young.

NEW YORK. *Ayes*—Bergen, Cambreleng, Verplanck, C. P. White, Ward, Lansing, Root, Bouck, Angel, Hoffman, Doubleday. *Nays*—Pendleton, Wilkin, J. C. Brodhead, John King, Pierson, Beardsley, Taylor, Pitcher, Hogan, Dayan, Wardwell, Collier, Edward C. Reed, Barstow, Babcock, Dickson, Whittlesey, G. H. Wheeler, Bates Cooke. *Absent*—Lent, (dead), Soule, Jewett, Tracy.

NEW JERSEY. *Ayes*—None. *Nays*—Southard, Lewis Condict, Silas Condict, Hughes, Cooper, Randolph.

PENNSYLVANIA. *Ayes*—Horn, Smith, Gilmore, Coulter. *Nays*—Sutherland, Watmough, Heister, Joshua Evans, Potts, Mann, Bucher, Henry King, Muhlenburg, Ihrie, Ford, Stephens, Dewart, Adam King, Crawford, Robert McCoy, Allison, Burd, McKennan, Denny, Banks. *Absent*—A. Stewart.

DELAWARE. *Nay*—J. I. Milligan.

MARYLAND. *Ayes*—Spence, Kerr, Semmes, Sewell, Washington, Jenifer, Thomas, Worthington, Howard. *Nays*—None.

VIRGINIA. *Ayes*—Newton, Coke, Roane, Chinn, Robert Allen, Armstrong, Barbour, Patton, Archer, Alexander, Davenport, Bouldin, Gordon, William McCoy, J. Johnson, Maxwell, Craig, Draper, Claiborne, Mason. *Nay*—C. F. Mercer.

NORTH CAROLINA. *Ayes*—W. B. Shepard, Hawkins, Hall, Branch, Baringer, Speight, McKay, A. H. Shepperd, Rencher, Bethune, Conner, Williams, Carson. *Nays*—None.

SOUTH CAROLINA. *Ayes*—Mitchell, Blair, Nuckolls, Davis, McDuffie, Felder, Griffin, Barnwell, Drayton. *Nays*—None.

GEORGIA. *Ayes*—Foster, Lamar, Newnan, W. Thompson, Wayne, Clayton. *Nays*—None. *Absent*—Wilde.

KENTUCKY. *Ayes*—Daniel, Marshall, Chilton Allan, Hawes, Letcher, Adair, Gaither, Tompkins, Wickliffe, Lecompte, R. M. Johnson, Lyon. *Nays*—None.

TENNESSEE. *Ayes*—Blair, Arnold, Isacks, Standifer, Wm. Hall, Bell, Polk, C. Johnson, Fitzgerald. *Nays*—None.

OHIO. *Ayes*—Findlay, Corwin, Creighton, Irvin, J. Thompson, E. Whittlesey, Stanberry. *Nays*—Crane, Russell, Vinton, Kennon, Leavitt, E. Cooke. *Absent*—Vance.

LOUISIANA. *Ayes*—Bullard, Thomas, E D. White.

INDIANA. *Ayes*—Boon, Carr. *Nay*—McCarty.

ILLINOIS. *Aye*—Duncan.

MISSISSIPPI. *Aye*—Plummer.

MISSOURI. *Nay*—Ashley.

ALABAMA. *Ayes*—Clay, Lewis, Mardis.

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SUMMARY.

| States | Ayes. | Noes. | Absent. | Total. |
|---|---|---|---|---|
| Maine | 6 | 1 | 0 | 7 |
| New Hampshire | 4 | 1 | 1 | 6 |
| Massachusetts, | 0 | 13 | 0 | 13 |
| Rhode Island | 0 | 2 | 0 | 2 |
| Vermont | 0 | 5 | 0 | 5 |
| Connecticut | 0 | 6 | 0 | 6 |
| New York | 11 | 19 | 4 | 34 |
| New Jersey | 0 | 6 | 0 | 6 |
| Pennsylvania | 4 | 21 | 1 | 26 |
| Delaware | 0 | 1 | 0 | 1 |
| Maryland | 9 | 0 | 0 | 9 |
| Virginia | 20 | 1 | 0* | 21 |
| North Carolina | 13 | 0 | 0 | 13 |
| South Carolina | 9 | 0 | 0 | 9 |
| Georgia | 6 | 0 | 1 | 7 |
| Kentucky | 12 | 0 | 0 | 12 |
| Tennessee | 9 | 0 | 0 | 9 |
| Ohio | 7 | 6 | 1 | 14 |
| Louisiana | 3 | 0 | 0 | 3 |
| Indiana | 2 | 1 | 0 | 3 |
| Illinois | 1 | 0 | 0 | 1 |
| Missouri | 0 | 1 | 0 | 1 |
| Alabama | 3 | 0 | 0 | 3 |
| Mississippi | 1 | 0 | 0 | 1 |
| | 120 | 84 | 8 | 212 |

*Add speaker, who did not vote of course.

## MR. CLAY'S TARIFF BILL.

Having freely expressed our own opinion of this bill, we present another view of it from the *New York Advocate.*

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The following letter is from an intimate, highly respected and intelligent friend, whom we know to be what he professes, no party man, and an undoubted friend to the protective policy. His reasonings are therefore entitled to great respect and consideration; and we give them to our readers with the more pleasure, because they present the subject in a point of view which may not strike many who are ignorant of the motives with which Mr. Clay has been actuated.

*Washington, 14th Feb.* 1833.

DEAR SIR: You have, before this reaches you, read Mr. Clay's bill, Mr. Webster's resolutions, and learned from your private correspondent, and the papers, the effect that has been produced. Standing in the relation which Mr. Clay does before the union, to the protective system, the introduction of this bill is perhaps one of the most important measures, whether viewed in relation to its operation on himself individually, or in its probable effect on the industry of the country, that he has ever offered for the consideration of congress. By his enemies he will be charged, and many of his former supporters will, doubtless, respond to the accusation, that he has sacrificed his principles on the altar of his ambition, and bargained away, for southern votes and southern support, the great interest which were to his care especially committed. You know that I am no party man; that measures, not men, is my motto, and that I am an unyielding advocate both from interest and principle, of the American system. In saying, then, that such criminations are groundless, I trust that you will believe me, at least so far as to give me credit for sincerity. To form a correct opinion on this subject, it is necessary to be fully acquainted with the aspect of affairs here previous to Mr. Clay's motion, and to have since heard Cambreleng, in the house, declare that he never would vote for a bill which he a few days before openly avowed his anxiety to see passed; and Benton, in the senate, state, in debate, that woollens never ought to receive less protection than 30 per cent. Mr. Forsyth, in his remarks in opposition to leave being granted to offer the bill, fully expressed the views and feelings entertained by our enemies previous to that time. They considered us as defeated and in their power, and were only hesitating as to the form and degree of punishment they should inflict. The administration expressing, as they *stated*, the public will, which had been distinctly manifested by the election of general Jackson to the presidency, in the bill reported by the committee of ways and means, and to which they lent their whole support, left no alternative for Mr. Clay but either form an arrangement with the enemies of Van Buren, at the south, by which time could be gained, trusting that at the expiration of eight or nine years, the protective policy would become universally popular, or silently witness the entire destruction of a system, of which it is his highest ambition to be considered the founder. To be sure, there was a chance of its being again renewed and sustained by a reaction of public sentiment which must have unquestionably followed the distress that would have ensued from its destruction, but the remedy was too powerful to be resorted to, if a palliation could be found. The south, finding themselves in an unpleasant dilemma, were willing to unite on any measure which would furnish them the opportunity of an apparently honorable escape. All they claimed was liberty to say to their constituents, that their principles had triumphed; they were willing to defer for ten years the exhibition of their effects. Time, and the prospect of protection for at least eight years, was the consideration on one side; on the other the satisfaction of proclaiming a triumph, without any practical benefit from the victory claimed. It will be said by many, I am aware, that Mr. Clay has by this bill relinquished forever the principle of discriminating duties. But I would ask, can an arrangement, which obviously contains in its very provisions the principles of its own destruction, be considered as permanent by its framers? If not, the fact on which this charge must rest, to wit, that at the end of ten years all duties are fixed at twenty per cent.—sufficient, when taken in connection with another, that cotton is then to be free—to satisfy any mind that a new law will then be unanimously called for from every section of the union. The south has now a specific duty of three cents a pound on her cotton; will she be able ten years hence to sustain herself against the competition of Texas and Brazil? Is it not more than probable, is it not certain, that she will require even a higher protection than she now enjoys? All the slave states are so fully sensible of the benefits they derive from cultivation of sugar in Louisiana, in the market it affords for their surplus negroes, and the employment of capital that would otherwise be directed to the growing of cotton, that, were it not for appearances, they would offer, even now, no objection to the present duty on sugar. No one presumes to suppose that twenty per cent. will ever be even the shadow of protection for sugar. May we not reasonably conclude that the southern politicians are aware that they shall need protection at that time, and expect to claim it—and may we not also infer that it is with a view to obtain assistance from other interests in effecting this, that they insist on placing all on the same level of twenty per cent. If the tariff of 1832 was taken as the basis, and the various duties were reduced in ten years to the revenue standard, retaining the same proportional difference to each other which they do at present, would they not have reason to apprehend that some important interests might find themselves sufficiently protected, and be unwilling to unite in an effort to obtain an increase of duties. I must say that the subject has struck me in this light, and the conclusion has forced itself upon me, that the bill was not intended by Mr. Clay, nor by the southern gentlemen who are understood to be its friends, to present a plan for the permanent adjustment of the tariff. That its only object is to allay the excitement which unfortunately exists at the present time, remove the subject from the operation and influence of party politics, and afford an opportunity to adjust, and fix on a permanent basis the industry of the country, which even the southern politicians admit it is necessary to sustain. Yours, &c.

## THE CAPE DE VERDS.

We have been favored with the following letter from a clergyman who went passenger in one of the vessels sent from this port, by the liberality of our citizens, with provisions for the relief of the Cape de Verd sufferers. The description it gives of the distress and mortality which the famine in those islands had occasioned, and the frantic joy with which the starving inhabitants hailed the arrival of these unexpected succors, will be read with thrilling interest. Surely no man of common sensibility, after perusing this letter, can regret the humble offerings which he made for an object so worthy of his charity—worthy, at least, on account of the urgent nature of the call, if not for any particular merit in the recipients of his bounty. [*Jour. of Commerce.*

*Port of Mayo, (Cape de Verds), January* 5, 1833.

We arrived at this port on the last day of December, having left the principal part of the provisions for the islanders, at Bonavista. We are now loaded with salt for South America, and expect to sail within two or three days. At this island, and at Bonavista, there has been less suffering from the protracted famine, than at the other islands. From information received from individuals who have visited, and profess to be well acquainted with the condition of the islands, the suffering, wretchedness and desolation, has been beyond the conception of those who live in the midst of plenty and prosperity. I am not able to state the whole population of the islands, from the absence of statistical documents;—but the estimate of the number of deaths, *from actual starvation*, in all the islands, within about a year, is placed by those best acquainted with the circumstances, at between 30,000 and 40,000.* The items which go to make up this amount in the bill of mortality, are as follows: In St. Antonio, among a population of 26,000, 11,000 have died from starvation alone; in Fogo, 12,000 deaths from the same cause; in Bravo, 7,000; in St. Nicholas, 3,000, and in St. Jago the number is considerable, although not stated definitively. Captain Hays, of the brig Emma, of Philadelphia, with a full cargo of provisions for the suffering islanders, assured me that the scene of wretchedness and desolation at St. Antonio, where he touched long enough to discharge 500 barrels of provisions, was beyond the power of tongue or pen to describe. The miserable inhabitants looked more like *moving skeletons*, than living beings—their flesh was gone, their muscles seemed dried up, and they presented the appearance of only the naked *frames* of men, which could scarcely be kept together. The inhabitants had despaired of obtaining relief from any of the ordinary resources; and as no vessel had touched at the island for several months, on account of the difficulty and danger resulting from the fact that there is no safe harbor for vessels, a pilot was despatched

*The population of the Cape de Verds is stated in the Gazetteer to be about 100,000. It seems almost incredible that the mortality should have been as great as here stated; though we must say that the writer is a gentleman of intelligence, and not more likely than others to adopt exaggerated reports.

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in a boat with some half a dozen *skeleton* beings, to hail the first vessel that could be seen, and beg of it to stop and *sell* them something to keep them alive for a few days longer; when the Emma hove in sight, and was hailed, and, as soon as possible, the mournful tale of wretchedness was told, and the entreaty pressed to stop and sell them something to eat. Captain H. replied that he had nothing to *sell*—but that his vessel was loaded with provisions to *give away:* and that he had come for the express purpose of affording relief to any of the islanders who needed the gratuity. They seemed incredulous at first, but when satisfied of the fact, they raised their hands in astonishment toward heaven, intimating that he must have been despatched from thence, on such an errand of mercy. After landing, capt. H. soon found from what he there saw and heard, that the account of their deplorable, suffering condition had not been overstated. He discharged 500 barrels of provisions, and left them, after receiving every demonstration of gratitude from the sufferers which they were able to give. They even followed him to the water's edge, and there, in attempting to give *three cheers* with all the little energy which they possessed, they made a noise which seemed more like a sepulchral groan, than the voice of the living.

Captain H. was assured that almost every morning the dying and the dead would be seen in almost every direction from the door of his informant, and that but a short time before, a boy was seen cutting a piece of flesh from the carcase of a fellow creature, to lengthen out his own miserable existence, but was found soon after, dead, with the piece of flesh in his hand, having crawled only a few paces from the place where he obtained it. This was represented as only a specimen of what may often be witnessed, in its substantial features. Bonavista and Mayo have suffered less than the other islands, which has prevented us from being eye-witnesses of such heart-sickening scenes of wretchedness, as have been witnessed by others. Captain H. assured me that he felt amply compensated for all the expense which he had incurred, in coming out gratuitously to be almoner of the charity of Americans to those distant and desolate islands, in the consciousness of the real benefit which had been conferred. Our own country has not only been first, but alone, in this work of substantial sympathy and charity. Not a farthing has been sent by the people of any other nation—as charity; which speaks volumes in favor of our citizens. Even the Portuguese nation has left these poor creatures to starve by thousands, when the king derives not a little of his wealth from their toils and sufferings. The islanders supposed at first that the supplies received from our country had come from the *government* of the United States—and when assured that the govenment had nothing to do with it—that it was from the public and private contributions of men, women and children, as the spontaneous expression of their own feelings of kindness and sympathy, as soon as their suffering condition was made known—they seemed utterly at a loss to comprehend how it could be! I have often heard them say—"Americans kinder than our own country—we have *two* kings, but they no send provisions to keep us from starving—they fight one another to see who shall govern—they care nothing about *us*," &c The rains have begun to fall in the islands—and vegetation is coming forward rapidly, and the hope is cherished that something, in a few months, may be obtained from the fruits of the earth, to supply the wants of the people.

P. S. You judged right in supposing that little of interest would be found here, relating to the vegetable kingdom. It is the most desolate, barren portion of the earth which I aver beheld. There was scarcely any appearance of vegetation on some of the islands by which we passed, although on some of them in the interior, it is said that there are trees, &c. There is scarcely a tree on Bonavista, except those that have been planted—or even on this island. On some of the islands there are fruits of several different kinds, and the land is under some degree of cultivation, but we have not been able to visit them. I have obtained the seeds of two kinds of trees from St. Antonio—one the purga, from which all the oil used on the island is made, and is an emetic as well as cathartic—the other called at the island pina; and chery moilla, which produces a fruit somewhat resembling the pine-apple, but entirely different. I hope to meet with better success in South America.

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A letter from lieut. McIntosh, commanding the U. States schooner Porpoise, to the secretary of the navy, dated Port Praya, island of St. Jago, January 3, 1833, says—"The very many reports which have reached the United States as regard the sufferings of the inhabitants of these islands have not been at all exaggerated; although at present there are no deaths on this island, in consequence of the relief which has been extended to them by the citizens of the United States; yet the many walking skeletons and objects of misery which continually present themselves to your view while on shore, but too plainly assure you what recently has been the dreadful situation of the island of St. Antonio, from a population of twenty-four, only eleven thousand are remaining, on the small island of Fogo four thousand now remain from a population of fourteen, and several of the other islands have suffered equally, and what is still more painful, their sad sufferings are by no means at an end. Another year they must exist, if they exist at all, from the charity of others; for these three years previous to the present, scarcely a drop of rain fell from the heavens; although they have had abundance during the present year, it has been so unseasonable as rather to be an injury than an advantage to cultivaton. I have been astonished, however, while witnessing the misery of the inhabitants, to view the hills covered with cattle of various kinds, and have asked in vain for an explanation of the fact, or what law could restrain starving thousands from supplying, partially at all events, their necessities."

## EXTRAORDINARY SUICIDES.

*Boston, Feb.* 19. Yesterday morning, a most remarkable and melancholy event was disclosed in this city. The dead bodies of Mr. John Carter, aged about 23, and Miss Mary Bradlee, aged 20, were found suspended by their necks, in the first chamber of her father's (Mr. Samuel Bradlee) store on Washington street. Through a loop, attached to a hook in the ceiling, and secured by a black silk neckerchief, a couple of handkerchiefs tied together, had been passed, and these unfortunate persons were found fastened and suspended to each end of these handkerchiefs. Two chairs had been placed together, and Miss Bradlee, being not so tall as Mr. Carter, a box had been placed on one of the chairs so as to elevate her head to the height of his. Having stood in this position facing each other, the chairs were thrown from under them, and they were left suspended. When discovered, their arms hung down by their sides.

Mr. Carter had served his apprenticeship with Mr. Bradlee, and had left him about two years ago, for New Orleans, where he entered into business. Last summer, Mr. B. having lost a son, who was connected with him in business, wrote to Mr. C. to return, and enter his store, as a partner, on favorable terms. Carter had, for several years, been on intimate terms with Miss B. and it was generally supposed that they were engaged to be married to each other. On his return, he was recognized in such relation, and he was permitted to accompany her. Mr. Carter entered into a negotiation to purchase into Mr. Bradlee's business establishment, with a view to immediate marriage, and as Mr. Bradlee wished to retire from business. But in this attempt being unsuccessful, he designed to return to New Orleans. Miss B. wishing to go to New Orleans with him, the consent of her parents was withheld. The parents, however, did not object to their being married at some future period. The lovers were, however, rendered unhappy, and in an evil hour, committed the rash deed above related.

They left Mr. Bradlee's house on Sunday morning, at bell-ringing, proposing to go to Trinity church. They were seen, however, when the bells were nearly done tolling, below Summer street, coming down Washington street, towards Mr. B's store. This was the last that was seen of them together. Mr. Carter, however, went into the apothecary's shop, a few doors below Mr. B's store, on Sunday afternoon. No alarm was felt at the absence of Miss B. because she was in the habit of accompanying Mr. Carter to his father's house, and often remained there over night with his sister. As the walking was very bad, it was supposed she had staid there on Sunday night.

When the lad whose duty it was to open the store, went there yesterday morning, he found that by inserting his own key, he had knocked on the other, which was on the inside. On entering the store, he found Mr. Carter's cloak on the counter, and thought all was not right, but did not go up in the chamber where the bodies were found, until some time after. Mr. Carter left two letters in the store, one directed to his father and the other to Mr. Bradlee, in which he stated that he had been unfortunate, that he was tired of the world and took this mode of leaving it: that he wished his friends would forgive him and her, and that it was her request that both might be buried together in Mr. B's tomb under Trinity church. In Miss Bradlee's trunk at home was also found a letter in her own hand writing, in which she thanked her parents for all their kindness and asked forgiveness of them for this last act of leaving them in this manner. Mr. Bradlee is truly a bereaved man. About a year ago, he lost a promising son, about 11 years old, who was killed instantly by a fragment of the wheel of a coach in which he was riding, and another son, who was his partner in business, died of consumption within a year.

The above is a correct account of this unhappy occurrence, so far as we have heard. Within a few weeks, Carter received 3,500 dollars on some real estate which he owned, and he immediately lost it, as he said, in Boston in some *speculation*, which he had declined giving any account of to Mr. Bradlee or to any of his friends, although he acknowledged that he had lost it, and was requested to state in what manner.

## THE CHEROKEES.

*From the National Intelligencer.*

The Cherokee Phœnix takes exception, without sufficient reason, to our having copied from a Georgia paper (the only channel through which any information of the matter has been received) an account of alleged murder of whites by certain Cherokees. We are against all sorts of murder or manslaughter, and must condemn it under whatever color it comes. We are glad to be assured that the Cherokees are in this case innocent of it. The following is the Cherokee account of the affair referred to:

*New Echota, Feb.* 2.

A white family of four persons resided at Saloquoyah, ten miles distant from this place. Lawson Bowman, wife, child and mother in-law. Bowman was a young man brought up partly in the nation, and lived 3 or 4 miles from any house. The week preceding Christmas, two Indian boys passing his place, found that the house had burned to the ground with the occu-

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pants of it. The boys made it known, and many Cherokees proceeded to the place to make some discovery whether this painful loss of lives was occasioned by murder or otherwise. It appearing the house had been burned four or five days previous, and a heavy rain; no circumstance appeared which would justify the conclusion that it was a case of murder. Nothing could be found of the remains of the persons but small pieces of cinders. An out-house contained some property undisturbed. In the meantime, Bowman's relations had charged the perpetration of this crime to the Cherokees, and the guard were sent for, to arrest them. The writer of this article advised the Indians to submit. They did so. The Georgia guard rushed to the Indian settlement with the spirit of Sampson, when he went down to Askelon, or like a lawless storm, frightened the poor women and children from their homes in the cold days of Christmas, and chained fast to one another 8 or 10 Cherokees. They were kept in this condition for several days; we saw some driven along the muddy roads to some magistrates for examination, but, in the absence of any testimony whatever against these men, they were all released. This is the only case that has occurred where the loss of lives has been charged to the Cherokees, and so far they have proved unfounded. [*Phœnix*.

## NAVY OF THE UNITED STATES.

HOUSE OF REPRESENTATIVES, JANUARY 29, 1833.

Mr. *Watmough*, from the committee on naval affairs, made the following report:—

The committee on naval affairs, to whom was referred the several resolutions presented on the 17th instant, by the hon. Mr. Hogan, of this house, with the view to inquire into and prevent certain abuses alleged therein to exist in the naval service of the United States, report:

That they have duly and maturely considered the same; and having referred the resolutions, with the documents appended thereto, to the navy department, and received from the secretary the annexed letter, dated January 28th, 1833, containing his views on the subject, they beg leave respectfully to submit the same to the house, as follows:

*Navy department, January 28th, 1833.*

SIR: I have received your letters of the 25th instant, in relation to the resolutions of the house of representatives, passed the 17th instant, on the proper measures to be adopted to prevent certain supposed abuses among the officers of the navy.

My opinion is not asked on the existence of those abuses at this or at any former period, whether practised by the officer designated in the specifications, or by any other officers in the service; but only, whether any "further legislation is necessary to correct the abuses supposed by said resolution to exist in the service."

In reply to this last inquiry, I can only say, that if such abuses have ever occurred, or should occur hereafter, it appears to me no further legislation is necessary to correct them; but that the past and present authority of the department, through courts of inquiry and courts martial, is ample for the correction of them; and, it is presumed, no period has existed when that authority would not have been exercised, on due complaint being made for the purpose, supported by such probable evidence of guilt as would justify calling on the officer implicated for official explanation; and if not given satisfactorily, ordering on him such judicial proceedings as the circumstances appeared to require. The papers enclosed, are herewith returned. I am, very respectfully, sir, your obedient servant,

LEVI WOODBURY.

*The hon. John Anderson, chairman of the naval committee of house of representatives.*

Your committee avail themselves of the occasion to express their hearty concurrence in these views, expressed by the secretary of the navy, and, entering, as they now do, their protest against any such future proceeding through the medium of this house, against either the naval or military officers of the government, they respectfully ask to be discharged from all further consideration of the subject.

## COLLECTION OF REVENUE AT CHARLESTON.

*Treasury instructions to the collector of the port of Charleston.*

[CONFIDENTIAL.]

*Treasury department, November 6, 1832.*

SIR: The act of the legislature of South Carolina, passed at their recent special session, and the anticipation of measures which may be apprehended from the convention called by that act for the avowed purpose of opposing and preventing the execution of the laws of the United States, imposing duties on foreign goods, wares and merchandise, make it proper immediately to draw your attention to the subject, and especially to some of the provisions of the existing acts of congress for the collection and security of the revenue.

It is difficult, and indeed impossible, to foresee in detail the precise measures which may be adopted by the convention; and the instructions now given must be more or less hypothetical, and the particular acts you may be called, in the discharge of your duty, to perform, must be, in a great degree, regulated by the character of the emergency, as it may arise. It is sufficiently obvious, however, that all the means which ingenuity can devise will be adopted to elude, or render null and inoperative within the state of South Carolina, the laws of the union imposing duties on foreign merchandise, and that a corresponding energy and vigilance in the performance of their duties, will be required from those charged with the execution.

You will require no observation from me to impress you with the delicacy and importance of the crisis in which you may soon be called to act, or with the indispensable necessity of unshrinking firmness and fidelity in the discharge of your duties. The crisis may involve no less than the safety of our inestimable union, and the self approbation and public gratitude attendant upon all honorable exertions for the preservation of that precious palladium of our happiness, will insure, on your part, all that the government can expect.

It is greatly to be apprehended that the measures of the convention may be such as not to be effectually counteracted without further legislation on the part of congress, which, of course, cannot be had in season for a prompt application of the remedy which their wisdom may devise: but I entertain a confident hope that, with a vigilant, faithful and fearless exercise of the authority conferred by the existing laws, aided by the moral support of the patriotic and unprejudiced portion of the community, much of the meditated evil may be for the present averted, if not altogether prevented.

Without a better knowledge than can now be had of the means of resistance to which the convention may resort, it is supposed that authority sufficient, for the present, is conferred by the constitution, which makes it the duty of the president to execute the laws; by the act vesting in the department of the treasury, the special power to superintend the collection of the revenue, which may fairly be supposed to give all power not contrary to the laws, and necessary to their execution; and by the several provisions of the act entitled "an act to regulate the collection of duties on imports and tonnage," passed the 2d of March, 1799, to which last act it is my intention, at present, to ask your particular attention.

It will be perceived by the 13th section of that act, that each of the collection districts, established in South Carolina, and the whole and every part of each district, is constituted a port of entry; and though the collector, naval officer and surveyor, are directed to reside at Charleston, and a collector at each of the other ports, it cannot be questioned that a vessel may lawfully discharge her cargo, and, if directed, make entry at any other point within the port of entry; and it appears also certain, that whenever, from physical or moral necessity, the laws shall be suspended at the residence of the collector, and he be prevented by a superior and unlawful force from the exercise of his authority at the usual place, it may be competent to place his officers to receive and compel the legal entry at some other safe and convenient place within the port of entry, as described by law.

You are already aware that, by the provisions of the same act, no goods, wares or merchandise, can be "brought into the U. States" from any foreign port or place, in any ship or vessel, without having on board a proper manifest; that, within twenty-four hours, after the arrival of any ship or vessel from any foreign port or place, at any port in the United States, established by law, at which an officer of the customs resides, or *within any harbor, inlet or creek thereof*, the master must repair to the custom house, and make report of her arrival; and, within forty-eight hours after such arrival, he must make further report in writing, accompanied by his manifest; and that, within fifteen days, (and by the act of the 3d March, 1821, in case of vessels of more than three hundred tons, within twenty days), after such report by the master, the owner or consignee of the merchandise on board, must make entry thereof, in writing, with the said collector; and that, in default thereof, the collector is authorised to take possession of said goods, wares and merchandise, in the manner particularly described in the 56th section. At the time of making an entry, the tonnage duties, (if any), must be paid; and previously thereto, the register, or other document in lieu thereof, together with the clearance and other papers, must be produced to the collector, and must remain in his office until returned to the master, or the clearance of the vessel for any other port; which clearance cannot be granted, and consequently the delivery of the papers cannot be made until all the formalities in regard to the vessel on her arrival shall have been complied with, and, (by the 93d section), until receipts for all the legal fees which shall have accrued on the vessel, shall have been produced to the collector. By the 29th section, a vessel which shall have arrived from a foreign port, and shall attempt to depart without having been reported, or entered by the master, is liable to be arrested and brought back by the officers of the customs. The entry of the merchandise, by the owner or consignee, already adverted to, consists, besides the other proceedings and formalities particularly required, in paying or securing, according to law, the duties which shall be ascertained by the collector and naval officer. Where the duties are to be secured, it is by bond or bonds, which shall include one or more securities to the satisfaction of the collector; who shall be satisfied not merely of the solvency of the surety, but of his sufficiency in other respects, and would not be expected or authorised to accept, as surety, any individual who should be understood to have formed a determination not to pay the bond, or comply with his obligation.

You will perceive, moreover, by the 50th section of the act, no goods, wares or merchandise, brought in any ship or vessel, from any foreign port or place, shall be unladen or delivered but in open day, except by special license, nor at any time, without a permit from the collector, under severe penalties, including the forfeiture of the goods; and by the 62d section, no permit shall be granted for landing the same, until all du-

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ties thereon shall have been paid, or secured to be paid, according to law.

By the 53d section, the collector of any district at which any ship or vessel may arrive, and *immediately on her first coming within such district*, is directed to put and keep on board such ship or vessel, whilst remaining in the district, or in going from one district to another, *one or more* inspectors to examine the cargo, and to superintend the delivery thereof, *and to perform such other duties according to law, as they shall be directed by the collector to perform for the better securing the collection of the duties;* and it is expressly made the duty of said inspectors to suffer no goods, wares or merchandise, of any nature or kind whatever, to be landed from such ship or vessel without a permit in writing from the collector of the port, and naval officer, where any, first had and granted for the purpose.

It may be proper, also, to observe, that after twenty-four hours from the time of her arrival, a vessel cannot proceed from one port to another without a clearance in the manner particularly pointed out. By the 21st section of the act referred to, and by the second section of the act of the same date, "establishing the compensation of the officers employed in the collection of the duties on imports and tonnage," the collectors are authorised to employ, with the approbation of the secretary of the treasury, such inspectors as the public service may require; and by the 97th, 98th, 99th, 100th and 101st sections of the act first referred to, ample authority is given to provide the requisite number of cutters and boats for the better securing the collection of the duties. The officers of such boats are subject to the direction of the collectors, and are, moreover, empowered and directed to go on board all ships and vessels which shall arrive within the United States, or four leagues of the coast thereof, if bound to the United States; and among other duties, to affix and put proper fastenings on the hatches and other communications with the hold, and to remain on board the said vessels until their arrival at the port of their destination. They are likewise to execute and perform such other duties for the collection and security of the revenue, as, from time to time, shall be enjoined and directed by the secretary of the treasury, not contrary to law and the provisions of said act; and they are further authorised to fire at or into any vessel liable to examination which shall not bring to, on being required or chased by any cutter or boat, as described in the 102d section.

Neither the validity of these provisions of the act of the 2d March, 1799, to which I have adverted thus particularly, that the further observations which my duty requires me to make may be more intelligible, nor of the act itself, has ever heretofore been questioned: and it is not altogether clear that the purposes of the convention, to assemble in South Carolina, as defined by the recent act of the legislature of that state, would extend to acts of a collector merely in execution of these provisions. However this may be, they are now, and always have been applicable to every district and every part of the union; they are now, and have uniformly been, in daily and strict observance in each of them; they are not merely of universal application every where, but embrace almost every imaginable case, and if, as has been sometimes publicly professed, the meditated resistance to the laws of the union is to assume the form of legal redress, and avoid a resort to open force or violence, it is believed they will be found, when properly enforced, to be fully equal to every emergency likely to arise.

In this view, it is presumed, your own official conduct has been and is now in strict conformity with the provisions of the act of 1799, and that, in observing these instructions, you will be merely executing your duties with, perhaps, greater vigilance than ordinary, and adapting existing regulations, of daily use and application, to new circumstances of greater emergency, as they may arise. It is the more important that you should keep this view of the subject constantly in mind, as it is the wish of the president, and of this department, to take no step, nor employ any means calculated to provoke or excite to force those who are now threatening resistance, but to defeat their operations by the moral force of the laws and the constitution, and to execute the former in the manner therein prescribed, and to employ force only when it shall be clearly authorised, and be found unavoidable in the discharge of your duty, and indispensably necessary to resist its employment by those who shall have resorted to it for the subversion of the laws.

It may be sufficient, therefore, in the first place, to call your particular attention to legal provisions already adverted to, and to the duties which they enjoin, and to direct that, in every case to which they are applicable, you will conform to their provisions by all the means which they place in your power.

But as there are some contingencies inseparable from the measures of the convention about to assemble which cannot be overlooked, it is proper that, in regard to these, you should be now advised.

Upon the supposition, therefore, that the measures of the convention, or the acts of the legislature may consist, in part, at least, in declaring the laws of the United States imposing duties unconstitutional and null and void, and in forbidding their execution, and the collection of the duties within the state of South Carolina, you will, immediately after it shall be formally announced, resort to all the means provided by the laws, and particularly by the act of the 2d of March, 1799, to counteract the measures which may be adopted to give effect to that declaration.

For this purpose, you will consider yourself authorised to employ the revenue cutters which may be within your district, and provide as many boats, and employ as many inspectors, as may be necessary for the execution of the law, and for the purposes of the act already referred to. You will, moreover, cause a sufficient number of officers of cutters and inspectors to be placed on board, and in charge of every vessel arriving from a foreign port or place, with goods, wares, or merchandise, as soon as practicable after her first coming within your district, and direct them to anchor her in some safe place within the harbor, where she may be secure from any act of violence, and from any unauthorised attempt to discharge her cargo before a compliance with the laws; and they will remain on board of her at such place until the reports and entries required by law shall be made, both of vessel and cargo, and the duties paid, or secured to be paid by your satisfaction, and until the regular permit shall be granted for landing the cargo; and it will be your duty, against any forcible attempt, to retain and defend the custody of the said vessel, by the aid of the officers of the customs, inspectors. and officers of the cutters, until the requisitions of the law shall be fully complied with; and in case of any attempt to remove her or her cargo from the custody of the officers of the customs by the form of legal process from state tribunals you will not yield the custody to such attempt, but will consult the law officer of the district, and employ such means as, under the particular circumstances, you may legally do, to resist such process, and prevent the removal of the vessel and cargo.

Should the entry of such vessel and cargo not be completed, and the duties paid, or secured to be paid, by bond or bonds, with sureties to your satisfaction, within the time limited by law, you will, at the expiration of that time, take possession of the cargo, and land and store the same at Castle Pinckney, or some other safe place, and in due time, if the duties are not paid, sell the same according to the direction of the 56th section of the act of the 2d of March, 1799; and you are authorised to provide such stores as may be necessary for that purpose.

It may be hoped that the foregoing precautions, and the prompt prosecution, in all cases, of those who may violate the law or resist the officers of the customs in its execution, will be sufficient for the present, and as long as you may find it practicable to perform your official duties, and as long as the rights of your person, and those of the other officers of your district shall be secure, and property respected, the custom house may be continued at Charleston. But, should the measures of the convention, or those of the legislature, expose your person, or the persons of the other officers, to outrage, or to arrest and imprisonment, and, by force or other necessity, render the execution of the laws of the United States impracticable, you may remove the custom house to Castle Pinckney, or to some other secure place within the port of entry, where you may take and receive the entries of vessels and their cargoes, and perform other duties necessary by law to be performed at the custom house.

You will, moreover, cause the officers of the cutters under your direction, to board all vessels departing from the port of Charleston, and in case any shall be found without having been regularly entered and cleared in the manner required by law, to seize and detain the same, to be prosecuted according to law.

It will be proper, in every case of doubt and difficulty, to consult the law officer of the district, and, on all occasions, where these instructions do not afford an adequate guide, to follow his advice.

It is expected that you will promptly inform the department of any difficulty that may occur in your district, and keep it regularly advised of all the measures that may be adopted by any person or persons for obstructing the execution of the laws, and also of the means which you may deem it your duty to adopt, and that, in every case of importance, where the time will admit of it, you, will, previously to taking any unusual or important step on your part, apply to the department for further instructions. For this purpose, you are authorised to despatch a special messenger, whenever, in your opinion, it may be necessary either for safety or expedition.

To enable you to execute the laws, and to fulfil these instructions, the revenue cutter Alert has been ordered to proceed to Charleston. On her arrival there will be two cutters on that station, and you will place them where you may think best.

You will treat these instructions as confidential, until it shall become necessary to act; but, in the mean time, you will exhibit them confidentially to the district attorney, naval officer and surveyor, that you may have the benefit of their counsels, and that you may all be better prepared to act together when occasion shall require. I am very respectfully, your ob't serv't.

L. McLANE, *secretary of the treasury.*

*To James K. Pringle, esq. collector of the customs, Charleston.*

[Similar letters were addressed to the collector at Georgetown, and the collector at Beaufort, differing only in the following particulars, viz: the reference to Castle Pinckney was omitted, and, in lieu of the last two paragraphs, the following was substituted:

"To enable you the better to execute the laws, and fulfil these instructions, a revenue cutter will be placed under your direction, and you will assign her to such station, and give such instructions from time to time to her commander, as you may deem best adapted to those objects. The cutter for your district will be despatched in a few days.

"You will treat these instructions as confidential until it shall become time to act."]

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 2—VOL. VIII. BALTIMORE, MARCH 9, 1833. [VOL. XLIV. WHOLE No. 1,120.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.


☞We are now pretty nearly through the *hurry* of the business of congress; but many very valuable articles are lying-over, which shall be inserted with all convenient despatch. Our first purpose is to present and preserve important public papers—and, relieved of the notice of passing events in congress, our means are extensive. But the mass of interesting matter on hand, and about to be received, is uncommonly large.

☞The 22nd congress adjourned at an early hour on Sunday morning—Saturday's sitting being continued. We give a very full report of the proceedings of the last days of the session. No small degree of confusion and excitement appeared on several occasions, and especially in the house of representatives—but much feeling was expected, because of the various important subjects before that body; and, perhaps, they were disposed of with as good temper as could have been hoped for. It will be seen that the evening session of Thursday, the 28th Feb. extended to ½ past one o'clock on Friday morning, the 1st March—by which the bill further to provide for the collection of duties on imports was so placed by the *previous question*, that it was promptly passed by yeas and nays at the next sitting—149 to 48. The details are full of interest.

It will also be seen that Mr. *Clay's* tariff bill, which had been adopted and passed by the house and sent to the senate, passed the latter—29 to 16.

☞In the proceedings of the house of representatives of the 1st instant, is inserted a report from the committee of ways and means concerning the bank of the United States; that of the minority of the committee, on the same subject, is laid off for our next. It is pretty clear, we think, that the safety of the public money is not endangered by being deposited in that institution—notwithstanding the repeated assaults which have been made on its responsibility to meet its engagements! We suppose that the bank will now be suffered to reach its period—undisturbed. The people are deeply interested, that the bank should be rather assisted than embarrassed, in winding up its affairs. It entirely possesses the public confidence, and so may even yet materially subserve the public interests.

☞We shall soon have the proceedings of the convention of South Carolina, re-assembled by the proclamation of "*major general Hamilton, commanding the state troops of South Carolina, in Charleston,*" (as "Randolph of Roanoke," has it)—and suppose that "the ordinance" will be triumphantly suspended, and with "a flourish of trumpets," and of "the shrill fife and spirit-stirring drum," with the fullness of glory to the "brave volunteers"—although and notwithstanding "the ordinance" has been resisted, as it ought, by the congress of the United States, and its conditions have not been complied with, in most essential respects—the act of 1832 being yet in force, though to be *modified* hereafter, commencing on the 31st December next, but still not to be *repealed*, as was imperiously demanded by the "sovereign" state.

☞The U. S. Telegraph of the 4th inst. appeared in mourning—not because of "the inauguration of Andrew Jackson," but for the reason that the "*bloody bill,*" the act "further to provide for the collection of duties on imports," had become a law—saying "here lies the mortal remains of state rights;" and "it is for this we mourn," &c. We shall next week publish this law.

THE MAILS. The "summer arrangement" of the mails, which was put into operation about the 20th Feb. was "nullified" by a severe snow-storm and frost which commenced on the 1st of March; and from Saturday until Wednesday night, we had no mail from the east—and, at the last date mentioned, we received only two of the four that were then behind. The steam boat which was to have brought the Sunday mail, was embargoed by the ice in the Elk river; and, at the time of putting this sheet to press, had not arrived.

In consequence of the resumption of their regular trips, by the steam boats,—the lines of stages which carried the mail or passengers on the proper post road to Philadelphia, had been withdrawn; and the indirect route through York and Lancaster only remained for the public accommodation: hence many members of congress, and others, returning from Washington, were compelled to remain at Baltimore during the whole week, and all our extensive hotels were so filled, that a large number of persons had to seek private lodgings. The "frost king" however, has eased his icy fingers—and, in a day or two more, will probably depart—for the present.

THE CLOSE OF THE SESSION. We have given up a large portion of the present sheet to a detailed account of the proceedings of the last session of the 22nd congress, just now closed; and they are very important. A list of the acts, &c. is added.

It will be seen that, contrary to almost universal belief three weeks ago, that the three great bills—further to provide for the collection of duties on imports, Mr. Clay's bill to modify the tariff, and his bill concerning the proceeds of the public lands, all passed both houses of congress by large and extraordinary majorities. The latter, however,—though the vote in the senate was 23 for, and *five* against it, and in the house *ninety-six* to *forty*, being unsigned by the president, has not become a law! If it had passed in time—so that the president must have approved, or have placed his formal veto upon this bill,—*it is believed that it would have become a law against the will of the executive;* and this, we think, may be easily supposed from the meagre minorities which supported the administration in its projects for selling the stock of the bank of the United States, and withdrawing the public deposites from it. But the "force of circumstances," assisted, perhaps, by the thing called "management," shielded the president from this unpleasant condition, and enabled him to cause the bill to die an *unnatural* death, without the possibility of a re-action of the representatives of the people in its favor. We intend to give a pretty full *congressional history* of this bill, and make some free remarks on various proceedings had concerning it—some of which are esteemed as about the meanest ever practised by persons—*who ought to have seats in the senate!* And the refusal of the president to sign a bill so much desired by a very large majority of the people, as shewn by the votes of the senate and of the house, is unparalleled in the history of *constitutional governments.* It is an exertion of authority which neither the king of Great Britain, nor the king of France, would venture to practice. The high self-will of the chief magistrate is thus made sufficient to defeat the most wholesome measures of the legislature—fresh from the people, and fairly presumed to obey the "sovereign." We speak not as party politicians—but are influenced by the same principles which led us to support the bill "further to provide for the collection of duties on imports"—the principle that the ascertained wishes of the majority of the people may not be set aside, either by a president of the United States, or a governor of the state of South Carolina: and, hereafter, it may become necessary to form and pass bills with strange titles—for examples,—"to enforce the collection of the revenue on imports, *and distribute the proceeds of the public lands*"—"to defray the expenses of the civil list, *and improve certain harbors*"—"for the pay and subsistence of the navy, *and to appropriate money for the Rockville road,*" &c. that one man's legislative power may not become ABSOLUTE, as to the passage of laws!



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The new tariff bill has become a law. We stand decidedly opposed to that bill—there are parts of it wholly irreconcilable to our deliberately formed and long cherished opinions, as we intend to shew on a future occasion;* but we would not have had *that* bill rendered waste paper by the action of the president, or the refusal of his signature. In England, or France, if an administration has a clear majority against it in the legislative bodies, the ministers resign, as they ought, and the king yields himself up to the people's will. But what is the present condition of things in the United States? The administration was rendered dependent on its old and avowed opponents for the *only* favorite measure adopted in congress! In one leading case only was the wish of the executive gratified—and that by the support of its most resolute political enemies, because they thought that measure was a just one. A strange state of affairs exists. Gen. Jackson has been re-elected by a mighty majority—and yet so much are things mixed with things, and parties confounded with parties, that even the official organ of government could not obtain the vote of either house for the office of printer; and the bank of the United States was sustained by a vote of more than two to one against the executive direction of influence and power. But we are not *politicians*. We have had but little to do with them, in the REGISTER, and shall have yet less; notwithstanding, facts shall be still stated, and principles discussed and sustained.

The following paragraphs give summary notices of some of the chief things that have happened.

*From the National Intelligencer, of March* 4. The winter's tale is almost wound up. Much of the details of business of the two past days will be found in our columns to-day; but the important business of the session, from which it takes rank and character, may be summed up in three lines, as follows:

Congress have passed

1. A bill to modify the tariff;
2. A bill to enforce its collection; and
3. A bill to appropriate among the several states the revenue from public lands.

These bills have passed in a manner *pari passu*, and almost concurrently. The majorities by which they have passed are large, and, whatever misgivings may exist in the minds of our friends as to the operation of one or the other of them, we have no doubt that they will as a whole meet the approbation of the great body of the people.

We will not exult at the vote in the house on the subject of the bank of the United States; but it would be affectation in us to say, that we are not gratified in finding ourselves so triumphantly sustained by the representatives of the people, in the ground we have occupied on this subject. The house would not even leave it doubtful *what* its opinion was. It has most distinctly and emphatically declared it to the world.

*From the same, of March* 5. The reader will find in the preceding columns a complete list of the ACTS passed at the session of congress which has just terminated. [See page 31.] From this list the *results* of the session may be ascertained, and at this moment from no other source.

An unusually small number of bills failed this session, in *transitu* between the two houses. The most important of these was the *Light-house bill*, which was rejected by the opposition of a *single* senator to its passage, which, though according to the rule of the senate, seems to be the fruit of an anomaly in legislation.

The only bill which failed from the refusal of the president of the United States to sign it, was the important bill (Mr. *Clay's* great bill) to appropriate for a limited term the proceeds of the sales of the public lands of the United States, and for granting land to certain states.

Among the acts, of which a list is published, is one, reported by Mr. *Verplanck*, which passed in the night of Saturday, and which seems to us of sufficient importance to the importing merchants, as well as to the revenue officers, to justify a special reference to it. By the operation of the general act of July, 1832, unintentionally, probably, on the part of congress and of those who framed it, the duties imposed on many kinds of *hardware* were nearly doubled, and other inconveniences interposed in the way of importers. These are removed by the act just passed; in which also the inconveniences from the duties on *copper*, brass plates, and copper for sheathing vessels, are also remedied, by restoring the duties on all these articles to their former footing, except copper sheathing, which is hereafter to be admitted free of duty.

The amount appropriated at the late session of congress for the continuation of the Cumberland road on westward, is nearly half a million of dollars.

*From the same, of March* 6. Before the close of the session of congress, our readers are already aware, the house of representatives declared, by a vote of considerably more than two to one, upon the recommendation of the committee of ways and means, their confidence in the bank of the United States. A still stronger testimony in favor of that institution, however, was borne by the senate, upon the recommendation of the committee of finance, of that body, seconded again by the house of representatives, and sanctioned even by the president of the United States, in the following manner:

The claimants for indemnity under the treaty with France, unwilling that the amount which is eventually to be divided amongst them should lie idle in the treasury, petitioned congress to cause the same to be invested so as to bear interest, until its distribution is awarded by the commissioners. In compliance with this petition, a provision was introduced, in the senate, into the general appropriation bill, and has become a law, requiring the secretary of the treasury to cause the money accruing under the treaty, to be invested *in the stock of the bank of the United States*, or loaned to individuals or trusts, upon pledges of stock of the United States, or *of the bank of the United States*, and upon no other security whatever. We here find all branches of the government in accord in placing the credit of the United States and that of the bank of the United States upon precisely the same footing, as entitled to higher confidence than any other mode of investment. The action of congress on this subject fully accords, we have no doubt, with the general wish of the claimants.

By one of the acts of the last session of congress, an office is established, entitled commissioner of pensions (to superintend the execution of the whole pension system) with a salary of 2,500 dollars per annum. It gives us pleasure to state that, with the advice and consent of the senate, *James L. Edwards*, who has long and faithfully discharged the same duties, has been appointed to fill the new office.

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The finest haunch of mutton that has ever been seen in this city, was yesterday exhibited in the Centre market. It weighed 120 pounds, and was raised by Mr. *John Bradley*, of Chester county, Pennsylvania, and was sent here as a present to the president of the United States, (though the donor is no Jackson man). Thus it is in this case, as we have seen in other cases of greater consequence, the president's political adversaries treat him better than his professing friends.

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*From the same, of March* 8. Among the miscellaneous appropriations contained in the general appropriation act for the present year, it gives us pleasure to find the following for the accommodation of the mercantile community, and the government agents connected with them, viz:

For the erection of a custom house at New York, three hundred thousand dollars.

For the purchase of a site and the erection of a public warehouse, in the city of Baltimore, fifty thousand dollars.

For do. do. in Newburyport, in Massachusetts, fifteen thousand dollars.

* We specially allude to the want of discriminations in the amount of duties, after 1842, which we regard as a concession of the principle of protection: as to the operation of the law until that period, concerning those articles which now pay specific duties or according to a minimum, we are entirely in the dark; and have unsuccessfully sought information as to the manner in which the amount of duties payable on such goods is to be determined. On articles now paying simple ad valorem duties, the *modus operandi* is plain enough; but further than this, we find great doubts existing as to the effects of the law; the process by which the "excess" over 20 per cent. is to be ascertained, (with regard to other articles), does not seem clearly understood by any one individual that we have had the pleasure to meet with.

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For do. at Middletown, in Connecticut, four thousand eight hundred dollars.

For completing the custom house at New London, (Conn.) four thousand dollars.

For the purchase of custom house ground at Key West, four thousand dollars.

By a clause in the general appropriation act, the privilege of *franking* letters is given to members of congress from 60 days before each member takes his seat, [or *ought* to take his seat,] to the end of the term for which he is elected, and to the meeting of the congress following.

U. S. BANK STOCK. Upwards of 600 shares were sold at New York on Saturday last, at 105 a 105¼. On the 4th of March, it had advanced to 109.

"COMBINATIONS!" By turning to the 32d vol. of the REGISTER, page 114, it will be seen that certain letters from Mr. Floyd, (now governor of Virginia), were read in the house of delegates of that state, in which he said that, "*combinations* [not coalitions!] for effecting the election of general Jackson were nearly complete, and that he wished to remain in congress until they were complete." Mr. F. *had* been the friend of Mr. Crawford. The following shews "how the land lies" at present:

A letter to the editors of the National Intelligencer, from a correspondent at Richmond, under date of 24th ult. says:

"I gave you an item of intelligence which possibly you may not receive from any other quarter; one going fully to demonstrate, I think, the low ebb of nullification in the capital of this state. The governor of Virginia, I understand, had at some trouble and expense, caused a superb state flag to be prepared and painted, with the intention of having it hoisted at the quarters of the state guard, on Friday morning last, the 22d instant. Knowledge of its existence, and of his intention, somehow or other, was obtained on Thursday the 21st, and a good deal of excitement manifested itself among the representatives and the people. Either dissuaded by his party friends, or prompted by his own fears of the consequences that would issue from displaying the flag, his excellency determined to let it remain snug in the painter's shop; and fortunate it was that he did so—for had the banner been unfurled to the breeze, and exposed to public gaze, it would unquestionably have been torn down and prostrated by the people, and in all probability with some bloodshed. Scarce a voice was heard in favor of raising it, and numbers were heard to express their determination, to rally under the star-spangled banner of the union. It was supposed by some, that had the state flag been hoisted on the day, the flag of the union would not have been, at least by order of the commanding chief. As it was, the union flag, fixed on a pole, was poked out of a hole in the southern end of the capitol loft, and in this half erect and awkward situation, flapping on the end of the ridge of the building, and repeatedly hooked on the point of one of the lightning rods, it was torn in many places, and pieces thereof were flying in every direction over the heads of the military and citizens assembled on the public square."

LOTTERIES. A "dead set" is making at the lottery system in several of the states, and we think that it will not be permitted to endure much longer.

NAVAL. The U. S. sloop of war Vincennes, at Portsmouth, N. H. is said to be fitting for sea with all possible expedition, and the Boston, Erie and frigate *Constitution*, at the navy yard, Charlestown, are ordered to be put in readiness for sea.

BALTIMORE AND WASHINGTON. The following highly interesting article is from the Maryland Republican of Saturday last:

The supplement to the bill authorising the Baltimore and Ohio rail road company, to construct *a rail road to the city of Washington*, passed the house of delegates on Wednesday, by a vote of 55 to 15, and *will no doubt pass the senate*—as it is in accordance with the propositions of the rail road company, there is no doubt of the project progressing without delay—and we may look for its accomplishment at an early period. The state subscribes one third of the capital, and books are to be opened for individual subscriptions for the balance. The rail road company are authorised to take what stock may not be subscribed within thirty days after the opening of the books, and may *borrow funds to a certain amount on the faith of the state*, the payment of the principal and interest of which funds is secured by a pledge of the rail road itself. The maximum price for transporting passengers is fixed at $2 50, one fifth of which is to be paid into the state treasury, as a bonus for the charter. This will probably produce a revenue to the state, derived, too, principally from "birds of passage," of forty or fifty thousand dollars per annum; and increasing as the travel on that great thoroughfare, between the north and south, shall increase.

PUBLIC LANDS. The following resolution was passed by the house of delegates of the state of Maryland, on the 21st ult. by a vote of 48 to 23, after several attempts to amend it.

*Be it resolved, by the general assembly of Maryland*, That the recommendation by the president of the United States in his last annual message to congress, to cede the public lands to the new states in which they are located, is impolitic, unjust and highly injurious to the fair and legitimate claims of Maryland; and that it is our duty to those whom we represent, solemnly to protest against the adoption of such a policy, and at the same time earnestly to request our representatives in congress to give a zealous support to the passage of the bill, from the senate, providing for the distribution of the proceeds of the sales of the public lands amongst the several states and territories of this union, now pending in the house of representatives of the United States.

TREASURY DEPARTMENT, *comptroller's office, Feb. 16, 1833.*—Circular to collectors of the revenue:

*Sir:*—As the law allows fifteen working days for unloading vessels of 300 tons and under, and twenty days in the case of vessels exceeding 300 tons, and it will be impracticable in many cases to land the goods and have them deposited in the custom house stores between it and the 3d of March next; you will be pleased to adopt this as a general rule, that where the vessels are placed in the custody, and under the locks and keys of an inspector, in such manner as to prevent any imposition on the revenue, the cargoes of such vessels may be considered to have been deposited in the custom house stores within contemplation of law, so as to be entitled to the benefit of the 18th section of the new tariff act of the 14th July, 1832—and entered as importation made after the 3d March, 1833.

The credits for the duties, however, are to commence to run from the dates of the arrival of the vessels respectively.

It is proper to add, this arrangement has the approbation of the secretary of the treasury. Respectfully,

(Signed) JOS. ANDERSON, *comptroller.*

TREASURY DEPARTMENT, *March 6th*, 1833. Congress having by an act passed on the 2d inst. authorised the secretary of the treasury, to "lend on interest the instalments under the treaty of indemnity concluded at Paris on the fourth of July, one thousand eight hundred and thirty-one, between the United States of America, and his majesty, the king of the French, upon a pledge of the stock of the United States, or of the bank of the United States, or to the bank of the United States, subject nevertheless to be repaid to the public treasury, whenever the commissioners appointed under the said treaty shall, by their award, direct to whom the said fund with the accumulated interest, shall be distributed:

*In pursuance thereof*, NOTICE *is now given*, That proposals will be received from the bank of the United States or other incorporated institutions, or from individuals, until the 20th inst. for borrowing the same. If from the bank of the United States, without any pledge of stock, and if from others upon a pledge of stock of the bank of the United States at par, to an amount equal to the sum borrowed, for the entire net proceeds of the first instalment under the said treaty, amounting to $961,240 30, or for any part thereof, not less than $100,000, to be repaid agreeably to the provisions of the said act.

LOUIS MCLANE, *Secretary of the Treasury.*

THE INDIANS. The article which we copied into the last REGISTER, page 2, as to the defeat of and capture of a company of U. S. rangers, by the Camansha Indians, is set down as an arrant falsehood, imposed on the editor of the Louisville Journal.

The "Galenian" of Jan. 23, says—We learn that the statement in the last Galenian, of an attack by the Sac and Fox Indians on the Menominees and Winnebagoes, was erroneous. The Winnebagoes got into a drunken frolic, and had a riot among themselves, in which two or three lives were lost, which gave rise to the whole report.

ORDER IN THE GALLERIES. Upon two or three recent occasions the spectators in the lobbies and galleries of the senate have evinced their approbation of remarks made, by *applauding*. We hope never to see this allowed in the presence of legislative or judicial bodies in this country; and we are glad to find that the president of the senate has determined, upon every such violation of order, to clear the galleries. If applause is once permitted, we shall next have *hissing*, and finally tumult and confusion. The rule of perfect silence on the part of the audience ought hereafter to be most rigidly enforced. [*Alex. Gaz.*

CASE OF TOBIAS WATKINS. *From the National Intelligencer of March 2.* The chief justice announced yesterday, that the court being divided on the application for a habeas corpus in the case *ex-parte* Watkins, the motion was, therefore, refused. The point or points upon which the difference of opinion occurred were not intimated from the bench, so that we do not know what further is to be done in the case. We learn, however, that it is probable that some further steps will be taken in the case by the counsel of Dr. Watkins.

NEW JERSEY. *Chas. P. Seeley*, president of the council, has been elected governor of New Jersey, for the remainder of the year, in place of Mr. Southard, elected a senator of the United States; and *John Moore White* has been elected attorney general of the state. The Jackson party voted for *C. L. Hardenburg* as governor, and *G. D. Wall* as attorney general.

PENNSYLVANIA. An act has passed the legislature of this state for the entire abolition of lotteries after the 31st December next.

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VIRGINIA. A bill has passed the Virginia house of delegates, appropriating $18,000 annually, for five years, for the purpose of colonising in Africa, the free people of color in that state.

SOUTH CAROLINA. Mr. John C. West, who was recently elected sheriff, in Kershaw district, South Carolina, has been required by governor Hayne to take the nullification test oath before any of his acts will be considered "*legal*." He refused to do it, and has published an address to his constituents giving his reasons for refusal at length. He assigns, among other constitutional and conscientious objections, that he cannot swear "to enforce laws which an irresponsible association has the power to suspend at pleasure," meaning, we presume, the nullification club in Charleston. Mr. West will doubtless be superseded, and be again a candidate, and the Camden Journal promises that he will be sustained by a triumphant majority in the district. This process may be repeated perpetually, and all legal proceedings be thus arrested in the district by the peaceful action of the unionists in their elective character. "Thus," says the Charleston City Gazette, "it will be seen that the reign of proscription has begun in good earnest." And the Courier says that Mr. West's example will be followed by the union party throughout the state.

It is believed (says the Augusta Courier,) that not less than 20,000 of the citizens of South Carolina of all kinds, have passed through this city on their way to the west. In consequence, the roads to Alabama are very bad, and provisions scarce and high in price. A letter from a gentleman who recently moved to that state says he has to pay two dollars per bushel for corn, from the number of persons who have removed to that part of the country within the last three months.

MR. GWYNN. It is stated that the senate has, for the *third* time, rejected the nomination of *Samuel Gwynn*, as receiver of public monies in one of the land offices in Mississippi. The like, we suppose, never happened before.

JAMAICA. We have received by the Orbit, a file of the Jamaica Courant to the 4th inst. It appears by these papers, that the opposition to the government, and the administration of Lord Mulgrave, was on the increase. Some riots had taken place. The Courant says:

We repeat our regret, that the conduct of Lord Mulgrave should have reduced himself and the colony to their present condition. The signs of the times are awful, and our only salvation is coolness—discretion, with determination; and, with these united, Jamaica must yet flourish.

We learn, that for some weeks past, the towns and villages on the north side of the island have been placarded with such compliments to our esteemed governor, as—"*down with Mulgrave*"—"*independence to Jamaica*"—"*no sectarians*"—"*But success to the colonial union!!*" [*N. Y. Mer. Adv.*

APPOINTMENTS BY THE PRESIDENT—*By and with the advice and consent of the senate.*

Levett Harris, of New Jersey, to be charge d'affaires of the United States to his majesty the king of the French.

Peter V. Daniel, of Virginia, Wylly Sillman, of Ohio, and John R. Livingston, jr. of New York, to be commissioners under the treaty with Naples.

Thomas Swann, jr. of the District of Columbia, to be secretary to the board of commissioners, and George Breathitt, of Kentucky, to be clerk under the same treaty.

Joseph Villamil, late of Louisiana, to be consul of the United States at the port of Guayaquil.

J. B. Ferrand, to be consul of the United States at Panama in the republic of New Grenada.

Francis Thomassin, of South Carolina, to be consul of the United States at Baracoa, in the island of Cuba.

Obed Folga, of New York, to be consul of the United States at Payta, in the republic of Peru.

Henry Carleton, of Louisiana, to be attorney of the United States for the eastern district of Louisiana, in the place of John Slidell, whose commission has expired.

Jonas L. Sibley, of Massachusetts, to be marshal of the United States for the district of Massachusetts, from the 3d of March, 1833, when the commission of Samuel D. Harris expired.

Andrew J. Donelson, to be the secretary authorised under the act "prescribing the mode by which patents for public lands shall be signed and executed," approved March 2d, 1833.

Thomas McCrate, to be collector of the customs for the district, and inspector of the revenue for the port of Wiscasset, in the state of Maine, from the 11th of March, 1833, when his present commission will expire.

## THE TARIFF BILL.

The following are Mr. *Ritchie's* remarks on Mr. *Clay's* tariff bill. We have no present comment to make upon them.

*From the Richmond Enquirer of March 2.*

THE TARIFF BILL.

We hope it is now a law of the land. It passed the house of representatives on Tuesday. Every vote south of the Potomac, we believe, with the exception of Mr. *Mercer*, being in favor of it. It is expected to pass the senate without difficulty. It is not the best bill to which we are entitled—nor in all probability the best which the whole moral force of the united south could have wrung from the next congress. But we take it for the present for what it is worth. It will give peace to South Carolina—whose measures have been marked by so much precipitation and danger, and calculated to shake the union itself. And we, for one, shall hail the measure with sincere satisfaction.

We do not understand Mr. *Clay's* course. In his speech on Monday last, he hopes "that the manufacturers would go on and prosper, confident that the abandonment of protection was never intended, and looking to more favorable times for a *renewal of a more efficient tariff*." RENEWAL of a *more efficient* tariff! Now, what says his bill? That "from and after the day last aforesaid" (30th June, 1842), all duties upon imports shall be collected in ready money, &c. &c. and such duties (not exceeding 20 per cent.) *shall be laid* for the *purpose of raising such revenue as may be necessary to an economical administration of the government*." How stand the *hope* and the *pledge* together? Does Mr. *Clay* mean to tantalise the manufacturers with the hope of "more favorable times for the renewal of a more efficient tariff"—or, does he mean to say, that notwithstanding the pledge in the bill, a more favorable time is to be seized upon for the renewal of a more efficient tariff?

Mr. *Clay* disclaims any share in bringing the existing evils on the country! Why, has he not been one of the great champions of the American System?—and is it not this most oppressive system which has applied the "torch" to our political fabric? He now declares, "that when he saw the torch applied to a favorite system, he would rush to save it, and to restore security and peace." Why, this is nothing but right—for, well is it, that the incendiary should rush to extinguish the flames he has principally contributed to kindle.

He declares, that he wishes to put the system on a *permanent* foundation for *nine* or *ten* years!!—and adds, that he is willing to test his bill "by the opinions of the manufacturers themselves, a large number of whom are now assembled in Washington, and whose almost unanimous voice would be in favor of his bill." Well, if they are content, we can have no objection. But how foolishly would the south have acted, in submitting longer to a system, which the manufacturers can now afford to modify without a murmur? We doubt, however, whether Mr. *Clay* will find the manufacturers so quiet. Mr. *Webster* seems to think differently—but they may rely upon it, that their oppressive system is now gone—that no more favorable times will ever come for renewing a more efficient tariff—that Mr. *Clay* himself cannot bring it back—that the south has seen how gradually and insidiously this system has grown upon us—that they have seen the error, and will hereafter repudiate every return to it, with a jealousy and a determination which nothing can subdue. The die is cast, if this bill passes—and this unnatural system, which is so much at war with the genius of the age, and the institutions of a free and a young country, will never be renewed after 1842, by all the *Clays* and the *Calhouns* in the country.

We shall be delighted to see it down—and though 9 or 10 years is pretty long for us to submit to it, yet we are willing to allow so much time to the manufacturers to accommodate themselves to the change—always reserving the right of cutting down the revenue to the most economical wants of the government. We hail the passage of the bill with satisfaction—as calculated to preserve the peace of the country. Mr. *Clay* has been the most active man in bringing it about. It was what he owed to the country—and we are glad that he has paid the debt. But, depend upon it, Mr. *Clay*, that your hopes about the return of more favorable times, and the renewal of a more efficient tariff, will never be consummated with the consent of the south. And *another thing!* you will *never* succeed, as you hint, in converting the southrons into "high tariff men"—that hope is gone! that source of joy is dried up. *And another!* the south have not "given up their *constitutional* objections"—and what is more, they never will—for, independently of their pecuniary interests, they regard the whole system as contrary to the genius of our institutions—as involving especially a jurisdiction over the rights and pursuits of the people, which was never, and never will be, yielded to a limited federal government.

## LETTER FROM GENERAL MERCER.

*Washington, D. C. March 4, 1833.*

*Edgar Snowden, esq. editor of the Alexandria Gazette:*

DEAR SIR: In the analysis, which lately appeared in your paper, of the vote of the house of representatives, on the bill modifying the tariff of July 1832, I appear to be the only member from Virginia opposed to that measure: and, as it was regarded, by a large majority of those who voted for it, as one of pacification, I avail myself of the channel of your paper, to state briefly, the grounds of my dissent to it, sustained, as it was, by many of my personal and political friends.

Those grounds would have been publicly submitted to the house, of which I was a member, had I not regarded it as a duty to forbear to protract a debate which consumed up a very large portion of the late session of congress; and, at one time, threatened to render an extra session of that body necessary to the administration of the government.

It is known to all my intimate friends, that, although I was not an original advocate of the protective system, beyond an adequate provision, in peace, of the means of defence in war, I consider the public faith as solemnly plighted, by the various tariff acts of congress, since the last war with Great Britain, to

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those citizens of the United States who have accepted the invitation of those laws, to place their capital and labor under the shield of the protective policy.

The testimony of so many men, representatives of the eastern and middle states, in both houses of congress,—in whose knowledge of the condition of the manufactures of the country I had much confidence, as well on account of their integrity and ability, as of their better opportunity of information, derived from their place of abode, a great proportion of whom voted against the bill in question,—occasioned in my mind no little hesitation to give to it the sanction of my vote.

But an earnest desire to pacify the existing discontents, to the south, if practicable, in a manner consistent with what is due to the authority of the laws, induced me to declare to the friends around me, after the bill had come from the senate called the "enforcing act," that, if it passed the house, I would yield my assent to a modification of the tariff; for which, bills were then under discussion in both houses.

The order in which those bills should pass the senate, had been, in my judgment, very properly arranged; and that arrangement I regarded as of material consequence to the character of the nation.

South Carolina had nullified a law of the United States, and threatened resistance to any attempt to enforce its execution. To yield to this threat, would be, in my opinion, a virtual renunciation of the sanction, not of this particular law only, but of the entire authority of congress. While an attitude of defiance was maintained by that state, I regarded any concession from the federal government, prior to a provision of the means and the expression of a determination to maintain, unimpaired, the authority of the union, as wholly derogatory to its character, and as eminently tending to endanger its future existence, by inviting similar resistance from other quarters, and a general and fatal distrust of its authority every where.

It was by no means certain, at the moment at which the late tariff bill passed the house of representatives, that the "enforcing act" might not be defeated, provided the former preceded it. Many causes led me to consider the passage of the "enforcing act," in such event, as doubtful. Among these, were the advanced period of the session, which must terminate in a few days, and the anxiety of many members to pass another very important act, called the "land bill." Accordingly, after the bill of conciliation had passed, there were more than 70 votes to lay the "enforcing act" on the table, with the avowed intent not again to consider it during the session.

As both acts have now passed, I have only to make, in justice to myself, this explanation to my constituents.

While I congratulate you and them, on the reasonable hope which those measures afford of the restoration of harmony to our union, without material injury to any class of citizens, I take this occasion to say, that I never, for one moment, considered its existence seriously endangered by the political movements of South Carolina. That glorious bulwark, not of our own freedom merely, but of the liberty of mankind, I regard as incapable of being subverted by the madness or folly of a single state. I am, dear sir, very respectfully, your obedient servant,

C. F. MERCER.

## THE INAUGURATION.

At 12 o'clock, on Monday last, the president and vice president, elect, attended by the heads of departments, foreign ministers and their suits, the judges of the supreme court, the president of the senate, and senators, the speaker of the house of representatives, the members of the house of representatives, the marshal of the District and the mayor and corporate authorities of the city, and a vast concourse of citizens and strangers, entered the hall of representatives. The *president* took the seat of the speaker of the house with Mr. *Van Buren* on his left, and his private secretary, Mr. Donelson on his right. After a pause of a few minutes, the president rose and was greeted by the cheers of the large assembly present. He then proceeded in an audible and firm voice to pronounce his inaugural address, at the close of which, he was again greeted with cheers and applause. The chief justice then approached the president and administered the usual oath, at the conclusion of which he was again cheered by the multitude. The oath was also administered to Mr. Van Buren. The president and vice president then retired amid the plaudits of the assembly.

INAUGURAL ADDRESS OF THE PRESIDENT OF THE UNITED STATES, FOURTH OF MARCH, 1833.

*Fellow citizens:*—The will of the American people, expressed through their unsolicited suffrages, calls me before you to pass through the solemnities preparatory to taking upon myself the duties of president of the United States, for another term. For their approbation of my public conduct, through a period which has not been without its difficulties, and for this renewed expression of their confidence in my good intentions, I am at a loss for terms adequate to the expression of my gratitude. It shall be displayed, to the extent of my humble abilities, in continued efforts so to administer the government, as to preserve their liberty and promote their happiness.

So many events have occurred within the last four years, which have necessarily called forth, sometimes under circumstances the most delicate and painful, my views of the principles and policy which ought to be pursued by the general government, that I need, on this occasion, but allude to a few leading considerations, connected with some of them.

The foreign policy adopted by our government soon after the formation of our present constitution, and very generally pursued by successive administrations, has been crowned with almost complete success, and has elevated our character among the nations of the earth. To do justice to all, and submit to wrong from none, has been, during my administration, its governing maxim; and so happy have been its results, that we are not only at peace with all the world, but have few causes of controversy, and those of minor importance, remaining unadjusted.

In the domestic policy of this government, there are two objects which especially deserve the attention of the people and their representatives, and which have been, and will continue to be the subjects of my increasing solicitude. They are the preservation of the rights of the several states, and the integrity of the union.

These great objects are necessarily connected, and can only be attained by an enlightened exercise of the powers of each within its appropriate sphere, in conformity with the public will constitutionally expressed. To this end, it becomes the duty of all to yield a ready and patriotic submission to the laws constitutionally enacted, and thereby promote and strengthen a proper confidence in those institutions of the several states and of the U. States which the people themselves have ordained for their own government.

My experience in public concerns, and the observation of a life somewhat advanced, confirm the opinions long since imbibed by me, that the destruction of our state governments, or the annihilation of their control over the local concerns of the people, would lead directly to revolution and anarchy, and finally to despotism and military domination. In proportion, therefore, as the general government encroaches upon the rights of the states, in the same proportion does it impair its own power and detract from its ability to fulfil the purposes of its creation. Solemnly impressed with these considerations, my countrymen will ever find me ready to exercise my constitutional powers in arresting measures which may directly or indirectly encroach upon the rights of the states, or tend to consolidate all political power in the general government. But of equal, and indeed of incalculable importance is the union of these states, and the sacred duty of all to contribute to its preservation by a liberal support of the general government in the exercise of its just powers. You have been wisely admonished to "accustom yourselves to think and speak of the union as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of any attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts." Without union our independence and liberty would never have been achieved—without union they never can be maintained. Divided into twenty-four, or even a smaller number of separate communities, we shall see our internal trade burdened with numberless restraints and exactions; communication between distant points and sections obstructed, or cut off; our sons made soldiers to deluge with blood the fields they now till in peace; the mass of our people borne down and impoverished by taxes to support armies and navies; and military leaders at the head of their victorious legions becoming our law-givers and judges The loss of liberty, of all good government, of peace, plenty, and happiness, must inevitably follow a dissolution of the union. In supporting it, therefore, we support all that is dear to the freeman and the philanthropist.

The time at which I stand before you is full of interest. The eyes of all nations are fixed on our republic. The event of the existing crisis will be decisive in the opinion of mankind of the practicability of our federal system of government. Great is the stake placed in our hands; great is the responsibility which must rest upon the people of the United States. Let us realize the importance of the attitude in which we stand before the world. Let us exercise forbearance and firmness. Let us extricate our country from the dangers which surround it, and learn wisdom from the lessons they inculcate.

Deeply impressed with the truth of these observations and under the obligation of that solemn oath which I am about to take, I shall continue to exert all my faculties to maintain the just powers of the constitution, and to transmit unimpaired to posterity the blessings of our federal union. At the same time, it will be my aim to inculcate, by my official acts, the necessity of exercising, by the general government, those powers only that are clearly delegated; to encourage simplicity and economy in the expenditures of the government; to raise no more money from the people than may be requisite for these objects, and in a manner that will best promote the interests of all classes of the community, and of all portions of the union. Constantly bearing in mind that, in entering into society, "individuals must give up a share of liberty to preserve the rest," it will be my desire so to discharge my duties as to foster, with our brethren in all parts of the country, a spirit of liberal concession and compromise; and, by reconciling our fellow citizens to those partial sacrifices which they must unavoidably make, for the preservation of a greater good, to recommend our invaluable government and union to the confidence and affections of the American people.

Finally, it is my most fervent prayer, to that Almighty Being before whom I now stand, and who has kept us in his hands

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from the infancy of our republic to the present day, that he will so overrule all my intentions and actions, and inspire the hearts of my fellow citizens, that we may be preserved from dangers of all kinds, and continue forever a UNITED AND HAPPY PEOPLE.

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*From the Globe of March 6.*

Yesterday, the diplomatic representatives of the different foreign governments, waited upon the president to offer their congratulations on his re-election, and to assure him of the friendly disposition of their own countries towards the United States. They were received and introduced to the president, by the secretary of state, in the presence of the heads of departments, at one o'clock, and Mr. *Serrurier*, minister plenipotentiary of France, made the following address on their behalf:

*Mr. President:* The diplomatic body accredited to the government of this republic, hastens to offer to your excellency their respectful felicitations on your second inauguration as president of the United States. They feel assured that this new and flattering proof of the confidence of your fellow citizens cannot but greatly contribute to confirm those friendly relations which already exist between this republic and the governments represented at Washington—relations which your excellency so happily preserved and extended during the four years of your first presidency.

I esteem it, Mr. President, at once a happiness and an honor to be, on an occasion so interesting, the interpreter of the sentiments which animate the diplomatic body towards you, personally, and to offer to you, in their name, the sincere wishes which every one of them truly entertains for the increasing prosperity of this republic, for the firmness of its union, and especially, Mr. President, for every thing that can contribute to your own personal glory and happiness.

To this address the president made the following reply:

It gives me great pleasure, gentlemen, to receive by the organ of the eldest and highly respected member of the diplomatic body, near the government of the United States, the congratulations you are pleased to offer on my re-election, and, above all, the assurances for my country of the friendly disposition of those which you represent.

It has been a principal object with me, to cultivate that disposition by the sincerest desire to cherish kindly feelings, extend the advantages of commerce, promote the interchange of every discovery in arts and science in peace, and lessen by humane stipulations, the evils of war, when, unfortunately, that scourge of the human race becomes inevitable.

Repeat these assurances, gentlemen, to the several governments you represent, as the invariable rule of my conduct towards them; and, for yourselves, accept the offer of the high respect and regard for you individually, with which your conduct during your residence here has inspired me.

## TWENTY-SECOND CONGRESS—SECOND SESSION.

### SENATE.

*March* 1. Mr. *Grundy*, from the select committee appointed to wait on the president and vice president elect, to apprise them of their election, reported that the committee had performed that duty, in regard to the vice president elect, and had received for answer, that he received this evidence of the confidence of the people with gratitude, and would enter on the discharge of his duties with a determination to act so as to justify that confidence.

The bill for modifying the duties on imports, as passed by the house of representatives, (in effect Mr. *Clay's* bill), being under consideration and on its passage—

Mr. *Robbins* spoke at some length, in opposition to the bill. He objected to the idea which seemed to pervade the bill, that the protective policy of the country was an evil; an evil to be deprecated, and only to be tolerated for a moment, to prevent a greater evil. This policy was now placed in the situation of a state criminal condemned to die, but allowed a short time to prepare himself for death, since die he must—his doom being fixed and irreversible. He took a view of the true character of the resources of the country, and the obligation which true policy imposed on us to cherish and protect them. With the correct path so distinctly marked before us, he expressed his great astonishment that congress should be unwilling to pursue it; that there should always appear a reluctance to adopt measures looking to the developement and judicious direction of these resources, and a readiness to rescind them where they had been adopted.

In reference to what had been said as to the preservation of the principle of protection by this bill, he asked what was the use of preserving the principle of protection, if protection itself was to be abandoned. He deprecated this bill as suicidal in its effects upon the great interests, and the general prosperity of the country. What Great Britain, with her thousand ships, and her Wellington armies, could not accomplish, was given to her by this single act of our own. It had been said that this bill was necessary to preserve the union, and that without it the union would be dissolved; but he questioned the correctness of this view, and policy of adopting this measure in the present attitude of South Carolina.

Mr. *Calhoun* then said, that although he objected to many of the details of this bill, he should vote for it. He thought the time too long, the descent of the duties too slow, and the home valuation as exceptionable; but all these are countervailed by the general spirit and principle of the bill. He stated that he did not regard the bill as containing any plighted pledge; but as a measure adopted to meet a peculiar state of things. He believed that no attempt would be made to disturb the arrangement of this bill, and if it was, that it would be repelled with indignation. He further believed that as far as this bill is concerned, peace will be given to the land: but he must say, with deep regret, that there is another bill which had originated in this body, and had just been returned with the sanction of the other house, which would disturb that peace. It would not do it immediately, but it was a precedent of the most dangerous character. He believed that this bill was a repeal of the constitution, and, "so help me God!" said he, "I would rather have that instrument repealed on the face of it." He viewed it as a measure which must inevitably tend to consolidation. It would not be acquiesced in. It would be resented, not by force, but by a long course of public opposition, which would never cease until the bill shall be expunged with disgrace from the statute book. The verdict of congress was against South Carolina: but there was an appeal which would lie to the people. The great republican party would again be rallied and re united, as it was in 1798, and by its force this evil will be corrected, or else the liberties of this country are gone forever. He rejoiced that one subject of controversy was settled and put to rest, but he deeply regretted that another should be opened which presented a different issue, and one of a most formidable character.

Mr. *Frelinghuysen* then made some remarks in explanation and justification of the vote he should give. He admitted that when this bill was originally introduced, he had strong doubts as to its wisdom, deeming it to be a precedent which was of doubtful, or even dangerous tendency. But the result of a free enterchange of opinions, and of the knowledge which he had acquired from the manufacturers of his own state, had been the removal of all these doubts, and a conviction that this measure ought to pass as a peace offering to the south. He adverted to the growing dissatisfaction in relation to the protective policy which prevailed in the south, and which rendered it necessary that something should be done to check the further increase of that policy. He complimented his honorable friend from Kentucky, for the great effort he had now made to restore peace and harmony to the country, and stated that, however that gentleman might be assailed, and his motives misrepresented by the presses of the country, the time would soon arrive when his course would be correctly understood, and properly appreciated. In his correspondence with some of the manufacturers of his state, to whom he had applied for information, he had ascertained that the guarantee of its permanence which this bill contained on its face, and the circumstance in which it was enacted, would be of far greater advantage to the manufacturers, than high duties, on the steadiness of which no reliance could be placed. He read an extract of a letter from one of these manufacturers to this effect; and then declared that he was satisfied that his course of duty was to give his vote for a bill which he was assured on the one hand, would tranquilise the south, and on the other, would be satisfactory to the manufacturers. He trusted that the effect of this compromise would be to induce gentlemen from the north and south to meet with kindlier feelings than they had exhibited for the last ten years.

Mr. *Dallas* said that although the senator from S. Carolina had stated that the south would not view this bill in the light of a pledge to abandon the protective system, yet the gentleman who had opposed the bill had indicated a different opinion, and for himself he was opposed to all that kind of legislation. He expressed his fear that while we are tranquilising one part of the country by this bill, we may be disturbing the tranquillity of another part, and thus be only shifting the scene of discontent. The bill would throw out of employment a great mass of people now occupied in the state of Pennsylvania in manufacturing establishments, and would render useless and profitless all those splendid works of internal improvement, her canals and rail roads, for the transportation of the fabrics which may be prepared by our domestic industry. It would diminish the value of her coal mines, and operate as a mischievous check on her prosperity. He thought that a bill involving such important results ought to have been more maturely considered and weighed, before any final decision was had upon it. Congress had acted hastily on this question, which affects the whole people, and which ought to have proceeded from some popular basis. He could have wished the postponement of this measure until the next congress shall assemble. In that congress there will be a fuller representation of the voice of the people, and if that body should then determine to destroy this system, he would acquiesce cheerfully in that decision, and so also would the state which he represented. All the conflicting interests had evinced a disposition to put off this question till the next session. South Carolina had determined to suspend her operations until that time, and the subject might have gone over till then without any danger to the peace of the country. The tariff bill of the last session was passed after the most serious examination and discussion, and he believed that if a bill destroying that measure was now passed, it would be difficult to avoid the character of inconsistency.

But he thought that as a substantive measure this bill ought not to pass. It had been hastily prepared, was loose in its structure, and had too few guards in it. He re-stated the views he had suggested while this bill was in preparation before the select committee, and the objection he had urged. The gentleman from Delaware had gone with him in most of his views,

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in all except the return to cash duties which that gentleman had been willing to give up to the home valuation. He did not accord in the opinions of that gentleman as to the advantage of this home valuation. He declared that the immediate effect of this bill would be to reduce the value of all the property invested in manufactures, and to destroy the means which thousands of persons employed in them rely on for their daily sustenance. He expressed his inability to comprehend the benefits which he was told would result from the passage of the bill. A skilful pilot might be guiding a vessel in a storm safely to her harbor, while a less skilful landsman might suppose that he was running the vessel on the rocks. So it might be with the gentleman from Kentucky, who might see advantages which were likely to arise under this bill, such as a less skilful politician might be unable to discern. He looked on the passage of this bill by the votes of the senators from South Carolina as an abandonment of the doctrines of nullification, since, after declaring the tariff of 1832, by her ordinance, to be null and void, they vote for a measure which regards that very law in active and efficient operation. He had no doubt of the passage of the bill, and although he felt it would operate oppressively on the interests of the state which he represented, he was still disposed to give it fair play, and to look upon it as a measure of conciliation.

Mr. *Ewing* succeeded. He declared that the bill contains nothing which is more of the character of a pledge, than is to be found in the resolutions of the senator from Massachusetts. He replied to the statements that this bill yielded the principle of protection, and quoted from the language of the gentleman from Pennsylvania to day, and some days since, for the purpose of shewing that even he had changed his first views of the subject. He adverted to the doubts which he had originally felt in voting for this bill at the present session, but said that these doubts had subsequently given way. He took a view of the course pursued by the senator from Pennsylvania, in reference to the last tariff, in order to shew that his opinions had not always been stable and uniform on the subject. He stated that there was no reason to believe that the senator from Pennsylvania would vote against any measure which carries into effect the views expressed by the president in his message at the opening of the present session, until his friend from Kentucky had introduced this bill.

He expressed his regret that he should be found on this question in opposition to the views of his friend from Massachusetts, but he could not help thinking that his friend had attached too much importance to the evils to which he thought this bill would give rise. Totally differing from the views of the senator from South Carolina as to the right of that state to place herself in the position which she now occupies, he would never have voted for the bill, until the other measure had been passed. He remarked that the senator from Massachusetts had objected to this bill because it was prospective legislation.

Mr. *Webster* stated that he had not objected to prospective legislation, but he had said that this bill, excepting the first section, was not prospective legislation. All our legislation is prospective. We do not legislate for the past.

Mr. *Ewing* then resumed, and argued that the bill gives sufficient protection to the manufacturers. It also saves the principle of protection which he would never have consented to abandon. It leaves free all articles which are necessary for the manufacturer. He believed that they who had hitherto opposed the protective system, would, when they should cease to view this question through a party medium, be disposed to yield a moderate protection to domestic industry.

Mr. *Mangum* then obtained the floor, and expressed his regret that the gentleman from Pennsylvania should have endeavored to mix poison in the cup which had been tendered to the south, in order to induce her to push it away from her. He stated that no man wished such an adjustment of the tariff as, by prostrating by a sudden action the great interests of one section of the union, might produce the danger of reaction. He said that the feeling of the south would be one of deep gratitude to those who had come to her aid, when her friends were upon her, and in the dark hour when there was not a particle of light save the sparkles which came from the steel of her enemy. He deprecated the panacea against panic which some gentlemen offered to them, and thanked those who had zealously hastened the present glorious consummation. He trusted that, although the present bill did not go so far as had been hoped, it would still conciliate the country, and obtain from all parties deep gratitude for those who have stepped forward, and by sacrificing a part of their system, saved the rest, and tranquilised the country.

Mr. *Clayton* then made some observations on the assertion that the principle of protection was abandoned, a statement which he denied. He could not understand how any gentleman could stand up, in the face of all the exemptions which the bill contained of articles used by the manufacturer, and say that there was any intention to abandon the principle of protection. He would not sacrifice any of the great interests of the country, but would look abroad upon the whole, with a desire to extend to all an equal and an efficient protection. He believed, that instead of being abandoned, the tariff system would hereafter be placed on a better footing than any on which it had heretofore stood. It was from no feeling of panic that he had been induced to vote for this measure. He had been disposed to soothe the feelings of the people of South Carolina, and to produce a state of things which would bring all the great interests of the country to act together. He replied to some of the remarks of the senator from Massachusetts, (Mr. *Webster*), especially to the one in which he had said that this bill contained a pledge which would prevent an honorable man from voting for a repeal of this law. In such a case, he wished the senator from Massachusetts to establish a rule exclusively for his own government, and to leave others to the same free course of action. He also went over the ground he had formerly taken as to the concurrence between the resolutions of that gentleman and the bill now under consideration. He then replied to what had fallen from the senator from Pennsylvania, (Mr. *Dallas*), as to the course pursued in committee, and insisted that the protection secured by the bill as it now stands is more efficient than that which would have been obtained by the amendment of that senator. He also stated that he had conversed with practical manufacturers, and had been satisfied that none of the great interests of the country would be sacrificed by this bill. In reference to the statements made by the senator from Pennsylvania, relative to the ruin which this bill would bring on the establishments in Pennsylvania, he expressed his belief that as much injury would not result from this measure as would have resulted from the proposition made by the senator from Pennsylvania. However Pennsylvania may have legislated at home, she had not, on this floor, shewn that steady, inflexible determination not to surrender a particle of the principle of protection which was now manifested. He would not permit it to go forth to the world that he and his friends who were about to record with pleasure, because it would give peace to the country, their names in favor of this bill, were about to yield any thing of the principle of protection. He regretted that he had occupied the senate so long. He would not go through the clauses of the bill, which was printed. He trusted that his constituents would understand the motives which had induced him to vote for this bill. If he should find at the expiration of the nine years that there had been too much yielded of the interests of the manufacturers, he would willingly go with those friends with whom he had so long acted, in restoring things to their former condition.

Mr. *Webster* replied that he stood on the ground that specific duties and discrimination in laying them, were the essence of the protective system, and these had been surrendered in this bill. He would leave this point to be settled by the people. He then made some brief answers to the remarks of the senators from Delaware and New Jersey. He thought it was among the possibilities that when gentlemen came together next session, they would be told that a new law would be necessary to carry this into effect. They would then be told that this bill would produce no diminution of the revenue, and that if the revenue is to be reduced, it must be by a different modification of the tariff. He replied that as to what had been said about practical men, the opinions of half a dozen or a dozen such convened here was not to be mistaken for public opinion; and he was far from believing that the opinions of practical men were always the surest guides for politicians: He repeated that artisans and mechanics would be severe sufferers under the operation of this bill, which would take off the protection from those articles.

He made a brief reference to what had been said concerning his resolutions, and concluded with saying that he did take the ground that this bill was an abandonment of the essence of the protective principle.

Mr. *Frelinghuysen* made a few observations to explain a point on which he had been misunderstood by the senator from Massachusetts. He stated that he had received his information from the manufacturers, before he left home. He now said that his manufacturers would, if it came to that point, surrender the tariff for the preservation of the union, and so would he—he would live and die by the union.

Mr. *Silsbee* said a few words on the subject of the home valuation, which he deemed to be impracticable, and said that if it was practicable, the result would not be so favorable to the manufacturer as had been supposed.

Mr. *Clayton* repeated his views for the purpose of extricating them from any doubt as to the home valuation. He said he thought there would be no difficulty in attaining a uniform rate of value by the same process.

Mr. *Forsyth* said it was evident from the discussion that this was a very bad bill, and satisfied nobody. He expressed his conviction that public opinion is correcting, and almost corrected, on the subject of the tariff; and that the time is coming when this question will be put on its proper footing. He stated that this bill is the same with the tariff of 1832, with the exception of the high duty on woollens which was conceded last year as a boon from the gentlemen from Pennsylvania, (Mr. *Wilkins*), and from New Jersey, (Mr. *Dickerson*), and for which they were then seriously reprehended by those who now take the opposite ground. He thought it extraordinary that gentlemen on the other side had come so near together as they had.

In reference to the enforcing bill, and the remarks made by the senator from South Carolina, he said that he was glad to hear from him that this bill was to be discussed in the south hereafter, instead of the tariff. He rejoiced at this, and would meet the contest with pleasure, for it would be one which could be settled by the cannons of the press, and not the cannons of artillery, when, instead of steel bayonets, steel pens might be the weapons, and the cartouch box would be laid aside for the ballot box. On the question of protection, the bill provided protection for nine years, and then afterwards for protection of 20 per cent. The amount is nothing. If the bill protects to a small amount, it admits the power to protect to a large amount.

Mr. *Sprague* replied to what had fallen from the last speaker, and expressed his regret that the gentleman from Georgia should

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make his speech run counter to his vote. He repeated what he had formerly said, that this was a concession from the strong to the weak; and argued that a change had taken place in consequence of the influence of the desire of concession, in the opinions of many who were opposed to any legislative action. If the spirit which ran through the speech of the senator from Georgia was the prevailing spirit in the south, there would have been found in this part of the country a different spirit than that of concession.

Mr. *Holmes* said he was astonished that any one should speak of consistency in his presence. Every thing he saw or heard convinced him that he was the only consistent man in the senate. The senator from Massachusetts threw charges of inconsistency against South Carolina, and the latter threw them back, and so on and so forth. He was bound to believe them all, as they were all honorable men, and consequently he was bound to believe that they were all inconsistent. He then went into an examination of what had been said *pro* and *con*, on the subject of the pledge contained in the bill. In reference to the representative obligation, he was happy to be supported by his friend from Delaware, who had said that he did not view himself as the exclusive representative of Delaware. Now, he did not regard himself as the exclusive representative of his *assumed* constituents; and when he received some time since instructions from those who, like himself, were merely representatives of others, he thought them entitled to any thing rather than respect. He had answered them, and he believed they were sincerely sorry they had ever passed their resolutions; for what with his answer, and what with their disposition of it, they had managed to make themselves supremely ridiculous. He went on to state that the northern manufacturers would deem themselves sufficiently protected by this bill, and that the possibility was, that the next application for protection would be from the south. He then declared that all the legislative efforts which might be brought against the manufacturers would never be found able to put down yankee industry and yankee enterprise.

Mr. *Wright* then rose, and stated the defects which he found in the bill. He objected to the proposed rate of reduction for the eight years, and to the want of a uniform rule of valuation. He objected to the inequality of the protection given by this bill. His next objection was that while the duty on negro cloth exists, it refuses to impose any duty on the material which enters into that fabric, and which is grown in abundance in this country. He also objected to the system of home valuation, which he deemed to be impracticable, or if practicable, most unequal; and he objected further to the abolition of all specific and discriminating duties, and substituting a mode unjust and oppressive. He would not discuss the question of the power of congress to protect our manufactures by imposing duties on foreign articles, but he thought that this bill did not sufficiently recognise that power. On this point, he quoted the language of the address of the free trade convention which met last year. He expressed his own opinion to be in favor of laying imposts for the purpose of raising sufficient revenue for the wants of the country. So far, he was assured that the power to impose duties, was vested in congress.

His strongest objection to the bill was that it endeavors to bind the action of future congresses. He considered this as a provision which was puerile in itself, and one which would never be considered as binding. He then viewed the circumstances under which congress was called upon to act on this bill, imperfect as it is. He knew that he should be charged with legislating under the influence of his fears. He could not suffer his fears to govern his conclusions. But he would not disregard them. There had been a deep and settled discontent in a certain portion of the country against our legislation, and he could not bring himself to regard that discontent lightly.

Under the expression of that feeling, congress had done what, if they had not done, would have left the union dissolved. The operation of that discontent was against the whole body of laws for the collection of the revenue; and would, if carried on, have destroyed all the means of the government. And without the purse no government could exist. He had therefore come to the question deeply impressed with the conviction, that it was his duty to give his vote to prevent such an evil. He had been long of the opinion that the revenue ought to be reduced. He had also been long impressed with a sense of the inequality of the tariff system. No one had questioned the principle on which this bill was founded; it was only in reference to the details that difference of opinion existed. A part of the country is deeply excited, deeply exasperated; by what means, it was not for him to inquire, but the condition of things was such as to render it uncertain whether the union can exist even until the month of December, unless something shall be done.

Mr. *Bibb* then stated, that he regarded the bill as a peace offering, so offered and so accepted, for the purpose of conciliation:

> "Now is the winter of our discontent
> Made glorious summer by this son of "—

not Old York, nor New York, but a son of the Old Dominion—from the Slashes of Hanover—he did not care by what hand it was offered, he would willingly take it. He made a few additional observations on the propriety of taking the bill in the spirit in which it was offered.

Mr. *Clay* then said a few words in reference to this bill and the enforcing bill, both of which he considered that it was necessary to send forth, as well to shew that the laws must be executed, as well as that there is a disposition to make concessions. He stated, that on the subject of the government being a compact, he principally agreed with the senator from South Carolina, but with some difference as to the character of the right conferred by that compact. He did not adopt the opinion that there had been any advance made in the usurpation of powers by the general government. He then went into a view of the history of this system to shew, that twelve or thirteen years ago, there was no opposition raised against the power of congress to protect domestic industry. The opposition on constitutional grounds had subsequently grown up. He then stated, that in his opinion no state could so practically construe the constitution as to nullify the laws of the United States, without plunging the country into all the miseries of anarchy. He said that he adhered to the doctrines of that ablest, wisest, and purest of American statesmen—James Madison—who still lives, and resides in Virginia—the doctrines which were advanced by him in 1799. The answer of that distinguished man to the resolutions of the other states, and his address to the people, effected a sudden revolution of public opinion. The people rallied around him—the alien and sedition laws were repealed—and the usurpations of the general government were arrested. He viewed the government as federative in its origin, in its character, and in its operation, and under the clause of the constitution which gives to congress to pass all laws to carry into effect the granted powers, they could pass all necessary laws. He hoped that the effect of this bill would conciliate all classes and all sections of the union.

He did not arrogate any merit for the passage of this bill. He had cherished this system as a favorite child, and he still clung to it, and should still cling to it. Why had he been reproached? He had come to the child and found it in the hands of the Philistines, who were desirous to destroy it. He wished to save and cherish it, and to find for it better and safer nurses. He did not wish to employ the sword, but to effect his object by concession and conciliation. He wished to see the system placed on a securer basis, to plant it in the bosoms and affections of the people. The gentleman from Pennsylvania, who had learned his views of the system from the senator from South Carolina, had spoken of him as the pilot who was directing the vessel. If it was so, he would ask if she had been secured by a faithful crew? If all had been faithful, he believed there would have been no danger now assailing the system. He assailed no one; he merely defended himself against the reproaches of others.

Another motive with him was to preserve the union. He feared he saw hands uplifted to destroy the system—he saw the union endangered—and in spite of all peril which might assail himself, he had determined to stand forward and attempt the rescue.

He felt himself pained exceedingly in being obliged to separate on the question from valued friends, especially from his friend from Massachusetts, whom he had always respected, and whom he still respected. He then replied to the argument founded on the idea that the protective principle had been abandoned by this bill. He admitted that protection had been better secured by former bills, but there was no surrender by this. He considered revenue as the first object, and protection as the second. As to the reduction of the revenue, he was of opinion that there was an error in the calculations of gentlemen. He thought that in the article of silks alone, there would be a considerable reduction. The protection to the mechanic arts was only reduced by the whole operation of the bill to 26 per cent. and he did not know that there would be any just ground for complaint, as some of the mechanic arts now enjoy only 25 per cent.

The argument of the senator from New York was against the bill, but he was happy to find his vote was to be for it. If his argument brought other minds to the same conclusion to which it had brought his, the bill would not be in any danger. He would say, save the country—save the union—and save the American System.

After a few words from Mr. *Smith* and Mr. *Wright*, in which the latter said he had so much confidence in the people, as to believe there would not be a worse congress than this.

Mr. *Clay* made a short rejoinder, in which he reminded the gentleman from New York of the words of a much greater man than any member of congress:—"Confidence is a plant of slow growth," which may be accelerated or retarded by circumstances. The gentleman should not outdo him in prepossessions of confidence in the people.

The question was then taken, and decided as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Hill, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robinson, Sprague, Tomlinson, Tyler, Waggaman, White, Wright—29.

NAYS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Hendricks, Knight, Prentiss, Robbins, Ruggles, Seymour, Silsbee, Smith, Tipton, Webster, Wilkins—16.

So the bill was finally PASSED.

The senate then took a recess of an hour and a half—(until a quarter past 7 o'clock.)

*Evening session.* The chair was resumed at half past 7 o'clock, and, until 9 o'clock, the senate was engaged in executive business—after which a great many private or local bills were variously disposed of, generally ordered to a third reading or passed—*as will sufficiently appear in the list of acts.* [It was hard to keep a quorum together this evening.]

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The senate then took up the amendment made by the house of representatives to the bill authorising the distribution of the proceeds of the public lands.

Mr. *Clay* said that, although the objects to which these proceeds are to be applied, were a favorite point with him, yet as he had found that he was differing on this topic with some of his friends, and as it had been suggested that there might be difficulty in another quarter, if the words struck out by the house were retained, he would move to concur in the amendment.

Mr. *Robinson* expressed a hope that the question would not be pressed at this late hour, in so thin a senate, when many were absent who are so much interested in the measure. He hoped that the question would not be taken, except in a full senate.

Mr. *Clay* expressed his regret that, at this late period of the session, the senator from Illinois should wish for delay, which might endanger the passage of the bill. It was not the fault of the members present, that there are so many absentees.

The yeas and nays were then ordered on the motion to concur.

Mr. *Clay* wished to take the question to night, in order that the executive might have time to act upon the bill.

Mr. *Chambers* said he should vote against the amendment. He would rather vote againt the bill, than take it with the amendment.

The question was then taken on the motion to concur, and decided as follows:

YEAS—Messrs. Bell, Black, Buckner, Clay, Clayton, Dudley, Ewing, Foot, Hendricks, Holmes, King, Mangum, Moore, Naudain, Poindexter, Prentiss, Robbins, Seymour, Silsbee, Sprague, Tomlinson, Tyler, White—23.

NAYS—Messrs. Bibb, Chambers, Grundy, Robinson, Tipton—5.

So the amendment was concurred in.

On motion of Mr. *Poindexter*, it was

*Ordered*, That when the senate adjourns, it adjourn to meet at 10 o'clock to-morrow.

At 11 o'clock, the senate adjourned—yeas 17, nays 10.

*March* 2. Many bills were taken up and disposed of, which there is no use in a present recapitulation of. Among other proceedings—

On motion of Mr. *King*, the senate proceeded to the consideration of the bill authorising the establishment of a pension agency at Decatur, in the state of Alabama.

Mr. *Moore* moved to amend the bill, so as to read, "one pension agency in the northern part of the state of Alabama," &c.

Mr. *Chambers* objected to the bill, which he regarded as an effort to remove the public funds from the United States bank. As the charter of the bank will expire in two years, it was scarcely worth while, for that short period, to make the change.

Mr. *King* disclaimed any intention to charge against the U. States bank that it was not competent to perform its obligations to pay the pensioners. The object of the friends of the bill was to enable the pensioners in Alabama to obtain their pensions without being put to the expense, inconvenience and delay, which are consequent on a journey to the place where the monies are deposited.

Mr. *Sprague* opposed the bill. He warned the senate against returning to the practice of investing the public funds in local banks, by which the government had already sustained heavy losses. The system established had been found convenient, easy and secure; and there was no reason for departing from it. If this bill passed, Maine would have an equal right to come to congress for a similar agency.

Mr. *Ewing* moved to lay the bill and amendment on the table.

On motion of Mr. *Moore*, the yeas and nays were ordered.

The question was then taken, and the motion was decided as follows: yeas 20, nays 17.

So the bill was laid on the table.

Mr. *Clay* then rose, and addressed the chair to the following effect:

Mr. *Clay*. An incident occurred a few days ago which gave me very great pain, and I am quite sure that in that feeling the whole senate participated.* I allude to some of the observations made by the honorable senator from Mississippi and the honorable senator from Massachusetts near me, with reference to an important bill then pending. I was persuaded at the time those remarks were made, that they were the result of mutual misconception, and were to be attributed solely to that zeal which each of those honorable senators felt—in the position in which they stood towards each other—the one to carry, the other to defeat the measure, with respect to which my friend from Mississippi and myself unfortunately took different views.

The concluding observations of the senator from Mississippi, after having delivered a very able and argumentative speech, one which I need not say to him and the senate embodied all which could be brought to bear on his side of the question, and made me regret that we had lost the benefit of his ability. In concluding his remarks, it did appear to some members of the senate, and to myself, and I have no doubt that it was so felt by the honorable senator from Massachusetts, that there was something personal, and peculiarly harsh in his language. Acting on that supposition the honorable senator from Massachusetts, in the course of his observations, also used language which may have seemed to be unnecessarily harsh. But in the sense which I understood the remarks of the honorable senator from Mississippi, the senator from Massachusetts might have found some justification.

I can perfectly well conceive, however, that the senator from Mississippi was influenced in his course by nothing beyond the ardor of the momentary excitement to which he had yielded himself. I know the respect which he bears, has borne at least, and I am sure, yet bears to the senator from Massachusetts, the personal and friendly intercourse which has always existed between them, and the respect which they bear to each other, and I am perfectly persuaded that the honorable senator from Mississippi, in the remarks with which he concluded his speech, referred solely to the public course—the public measures—of the honorable senator from Massachusetts, and the character of the particular measure under consideration, without intending to reflect on the personal character of the gentleman from Massachusetts. And I am sure, it was not the purpose of the honorable senator from Massachusetts to give any personal bearing to observations which he felt called upon to make. Under these circumstances, I should feel, and I am sure the senate would also feel, great pain, if these two gentlemen, who have been for so long a time on a footing of friendship, should be separated by any circumstance attributable to hostile feeling; or, rather to the misunderstanding which has arisen. I am sure, that the senate as well as myself, would be glad that these two gentlemen should still pursue their friendly feelings to each other; and I hope such an explanation will be given as will produce a reconciliation between the two gentlemen, who have so frequently acted in concert together on important subjects, and who entertain towards each other the highest respect. And I do hope that, in some way or other, means will be found to remove this momentary interruption of these gentlemen, and that nothing will occur to disturb, among the members of the senate, that harmony and peace, which I trust will prevail among all the members of this body.

Mr. *Poindexter* rose and said, that the circumstance which the honorable senator from Kentucky had alluded to, as having passed between him and the honorable senator from Massachusetts, was to him a source of regret. The measure under consideration at the time, was one to which he was strongly opposed, and against which he entered his solemn protest. The honorable senator from Massachusetts had advocated that measure with his usual zeal and ability. In the course of his remarks he alluded to the course of the south in opposition to the American System, and charged upon citizens of that section of the union in general, and more particularly on South Carolina, acts which amount to treason and rebellion, and a disposition to rupture our happy union, and to burn the constitution at the point of the bayonet. Coming, sir, from that quarter of the union, I felt it to be my duty to vindicate it from those aspersions, and to throw back to the honorable senator, as far as I could, a Roland for his Oliver. Believing that the south was right in the position which she has assumed, I felt authorised to allude to the past history of the country, and to the political conduct of the honorable gentleman himself, in illustration of my argument. Perhaps, in the ardor of my feeling, I went too far; and, if so, I deeply regret it. For it was far from my purpose to violate the decorum of debate which has ever characterised this body, or to express myself with harshness towards the honorable senator from Massachusetts. He well knows the respect and kindness which I bear for him; and I assure him that I had no intention to reflect either upon his personal character, or the purity of his political motives. Having said this, I trust I have put myself "*rectus in curia*" on this subject. It was assuredly far from my intention to trespass on the feelings of the honorable member from Massachusetts.

Mr. *Webster*. It is not more a matter of regret to the honorable senator from Mississippi than to myself, that any misunderstanding should have occurred between us. Since our acquaintance in this body, we have been on a footing of kindness and courtesy, and there is no gentleman in the senate towards whom I have been less inclined to manifest any warmth, which might be attributed to want of decorum. I certainly thought that the last portion of the honorable senator's remarks had a very strong personal bearing on myself: I certainly thought they were intended to have that effect. I am very happy to hear the honorable gentleman disavow that he intended to give them such a bearing. I respond entirely to the declaration that there has been between us, always, kindness and a good understanding. There are incidents connected with our relative situations towards each other which would make it extremely unpleasant that any thing should occur which can disturb the good understanding which ought to exist between honorable members. I therefore entirely disavow any intention to offer any personal disrespect towards him, in my answer to the remarks which he made towards me.

Mr. *Poindexter* then rose and said: The disclaimer made by the gentleman from Massachusetts calls for further explanation from me. In reply to what I deemed a personal affront, towards

*Mr. Poindexter had taken occasion to allude to the course of Mr. Webster during the war of 1812, on which he commented with great severity, and compared it with the conduct of Mr. Calhoun. Mr. Webster declined all explanations to the senator from Mississippi. He said that the senator from South Carolina was with him in the house of representatives at the period to which Mr. P. alluded, and if that senator wished any explanation of his course at that time, he would pay the most cheerful and respectful attention to his request. But he did not feel himself called upon to take any notice of the remarks of the gentleman from Mississippi. Mr. Poindexter immediately arose and said, "he *felt the most perfect contempt for the senator from Massachusetts.*"

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myself, from the honorable senator, I used expressions which, if such was not intended, might appear harsh, and a violation of the respect which ought to be preserved between members of this honorable body. Finding from the explanation which has been given by the honorable senator, that his purpose was not to offer me any personal insult, or to wound my sensibility as an individual, I take this occasion voluntarily, and with great pleasure, to retract the offensive expressions, hastily used, under the impulse of the moment; and I tender my hand to the honorable senator with perfect freedom and cordiality.

*Evening session.* A private bill being passed—

On motion of Mr. *Dudley*, the senate then proceeded to the consideration of executive business.

When the doors were re-opened, Mr. *Clay* was found speaking. He was engaged in expressing his approbation of the conduct of the president *pro tem.* of this body. The present, he said, had been a very arduous session. He should not have voted for the present presiding officer, had he been present when he was elected; nor did he mean to say what would be his vote, if the election were now to be made. But he gave with great pleasure, his testimony in favor of the faithful and able and impartial manner in which that officer had performed his duty. He concluded with asking leave to present the following resolution:

*Resolved*, That the thanks of the senate be presented to the hon. *Hugh L. White*, for the dignity, ability, and impartiality, with which he has discharged the duties of president *pro tempore* of the senate.

The resolution was then considered, and unanimously adopted.

Late in the course of the evening—

Mr. *Poindexter* moved that when the senate adjourns, it adjourn to meet at 10 o'clock to morrow; and asked for the yeas and nays, which were taken as follows:

YEAS—Messrs. Bibb, Black, Buckner, Clay, Dickerson, Holmes, Johnston, Moore, Poindexter, Robbins, Tyler, Waggaman.—12.

NAYS—Messrs. Benton, Chambers, Dallas, Dudley, Ewing, Foot, Frelinghuysen, Grundy, Hendricks, Hill, Kane, Knight, Naudain, Robinson, Ruggles, Seymour, Sprague, Tipton, Tomlinson, Webster, Wilkins, Wright, White,—23.

In the course of the evening—

A bill from the house of representatives for making appropriations for building light houses, &c. was read a first time, and on the question that it be now read a second time,

Mr. *Grundy* objected: and the motion requiring by rule the unanimous consent of the senate, *the bill was of course rejected.*

On motion of Mr. *Foot*, the resolution offered by him some days ago, calling upon the secretary of war to furnish a plan for equalising the pay of the army, was taken up and agreed to.

The *chair* communicated a message from the president of the United States, communicating information respecting the consular establishments of the U. States; which was ordered to be printed.

The senate spent about three hours in the consideration of executive business.

Several attempts were made to induce the senate to take up the bill for the relief of the heirs of Matthew Lyon, but the senate refused to consider it.

About half past 4 o'clock, a committee on the part of the senate was appointed to join such committee as the house might appoint, to wait on the president, and inform him that the two houses were ready to adjourn.

The house having appointed a committee, the joint committee waited on the president, and returned with an answer that he had no further communication to make; whereupon,

Mr. *King* moved that the senate then adjourn, *sine die.*

Mr. *White*, (president *pro tem.*) then rose and addressed the senate to the following effect:

Before the presiding officer leaves the chair, he is desirous of saying a few words.

We met under circumstances calculated to induce us to believe that matters of high excitement would arise during our sojourn here. It was by the will of the majority of this body that I was placed in this chair, to preside over your deliberations. I looked upon the high honor thus conferred to be but temporary; for could I then have foreseen that I was to act in this capacity till now, most certainly my distrust of my experience would have induced me to shrink from undertaking the task. The duties of the chair are at all times arduous, but the more particularly so, when topics of high interest and importance are under discussion. My experience, however, has convinced me that even under these circumstances, the presiding officer may have a pleasant task to perform, when every member submits himself to be guided by the rules of this body, instead of having a law for himself.

I take pleasure in stating that during the whole course of the session, no act has been done by any one member, and no single expression has reached my ear, calculated to give pain to the presiding officer. If, in the discharge of the duties confided to me, I have had the misfortune to injure or to wound the feelings of any individual, I trust he will do me the justice to believe that it has happened without any intention on my part. I have endeavored to act impartially towards every member of this body; and I would have them to bear in mind, that if, during the arduous duties I have had to perform, and amidst all the excitements that have existed, any thing like order has been preserved, it must be attributed more to the kindness and courtesy of senators towards the presiding officer, than to the capacity which he was able to bring to the duties assigned him. It is not probable, in the course of human events, that we can all ever assemble in this chamber again. I shall, after putting the question, take a farewell of all who are here present; and I feel regret that I cannot exchange good wishes with those who are absent; hoping that it may be our good fortune all to meet again.

The president then put the question on adjournment; which was carried *nemine dissentiente.*

The senate then, at 5 o'clock, [A. M.] adjourned *sine die.*

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HOUSE OF REPRESENTATIVES.

*Proceedings of Thursday Feb. 28, continued—Evening session.* Among various senate bills which received their first reading, the house took up a joint resolution from the senate, suspending the rule which forbids the sending of bills from one house to the other on the three last days of the session, so far as to allow them to be sent on Friday and Saturday.

Mr. *Adams* moved to amend it by extending the suspension also to the rule which prohibits bills to be sent to the president on the last day.

Mr. *Wickliffe* wished to limit the effect of the suspension to the ordinary appropriation bills only.

After a desultory conversation, in which Messrs. *Adams, Taylor, Wickliffe* and *Ellsworth*, took part, the amendment was made specific, by enumerating certain bills to be excepted.

Mr. *Hoffman* supported the amendments of Mr. *Wickliffe*, and protested against consuming the morning of Sunday in legislation.

Mr. *Irvin* hoped the land bill would be included, and Mr. *Newton*, the light house bill.

Mr. *Davis*, of Mass. Mr. *Cambreleng*, and Mr. *Adams*, opposed the limitation proposed by Mr. *Wickliffe.*

Mr. *Patton* moved to lay the whole subject on the table; but this was negatived.

Mr. *Wickliffe's* amendment was then rejected, and that proposed by Mr. *Adams* was agreed to.

Mr. *Wickliffe* then proposed that both houses be adjourned by the presiding officers thereof, on Saturday night, at 12 o'clock.

Mr. *Stewart* moved the previous question on this motion, which was seconded—yeas 69, nays 40.

The joint resolution, as amended, was then ordered to be read a third time.

The house then resumed the orders of the day, being *the bill further providing for the collection of the revenue;* when

Mr. *Wayne*, of Georgia, took the floor, and continued to occupy it in a speech in support of the bill, and in reply to Mr. *McDuffie's* argument of the morning.

Mr. *Foster*, of Georgia, succeeded, and spoke with very great force and animation, in opposition to the bill.

Mr. *Daniel*, of Kentucky, next addressed the house, and did not resume his seat until a quarter before twelve o'clock; when

Mr. *Craig*, of Virginia, after some previous remarks, demanded the previous question; but withdrew his motion at the request of Mr. *Carson*, of N. C. who, under a promise to renew the motion, made an explanation in reference to something which had been said by Mr. *Daniel*. He then, according to promise, renewed the motion for the previous question.

Mr. *Lewis* moved an adjournment. The motion was negatived.

Mr. *Clayton* wished Mr. *Craig* to withdraw his motion for the previous question, to allow him to explain; but Mr. *Craig* declining to do so,

Mr. *Wickliffe* said he had an amendment or two to offer. He was called to order, as the motion for the previous question was not debateable.

The demand for the previous question was seconded—yeas 103.

The previous question was then put, as follows: "Shall the main question now be put?"

A call of the house was moved, but negatived.

The previous question was then carried by yeas and nays, as follows—yeas 110, nays 44.

So the house determined that the main question should now be put.

The main question was accordingly put—"Shall the bill be ordered to be engrossed and read a third time?" and determined as follows:

YEAS—Messrs. Adams, Chilton Allan, H. Allen, Anderson, Appleton, Ashley, Banks, N. Barber, Barringer, Barstow, I. C. Bates, James Bates, Beardsley, Bell, Bergen, James Blair, John Blair, Boon, Bouck, Briggs, J. Brodhead, J. C. Brodhead, Bucher, Bullard, Cambreleng, Carr, Chandler, E. Cooke, B. Cooke, Corwin, Craig, Crane, Crawford, Creighton, J. Davis, Dayan, Dearborn, Denny, Dickson, Doubleday, Draper, Geo. Evans, Joshua Evans, Edward Everett, Horace Everett, Findlay, Fitzgerald, Ford, Grennell, William Hall, Hiland Hall, Harper, Hawkins, Heister, Hodges, Hoffman, Hogan, Holland, Horn, Howard, Hubbard, Huntington, Ihrie, Irvin, Isacks, Jarvis, Richard M. Johnson, Joseph Johnson, Kavanagh, Kendall, Kennon, J. King, Henry King, Lansing, Leavitt, Lecompte, Letcher, Lyon, Mann, Marshall, Maxwell, Wm. McCoy. McIntire, McKay, McKennan, Mercer, Milligan, Mitchell, Muhlenburg, Nelson, Newton, Pearce, Pendleton, Pierson, Pitcher, Polk, Potts, J. Reed, E. C. Reed, Russel, Sewell, Slade, Smith, Southard, Speight, Standifer, Stephens, Stewart, Storrs, Sutherland, Taylor, F. Thomas, P. Thomas, John Thomson, Tompkins, Tracy, Verplanck,

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Ward, Wardwell, Watmough, Wayne, Wilkin, Elisha Whittlesey, Camp. P. White, Edward D. White, Worthington, Young—126.

NAYS—Messrs. Alexander, R. Allen, Archer, Arnold, Barnwell, Bouldin, Carson, Chinn, Claiborne, Clayton, Coke, Connor, Coalter, Daniel, Davenport, W. R. Davis, Felder, Foster, Gordon, Griffin, Thomas H. Hall, Lewis, Mason, Robert McCoy, Newnan, Nuckolls, Patton, Plummer, Roane, Root, W. Thompson, Wheeler, Wickliffe—33.

*Mr. Bell* moved that the bill have its third reading *now*.

*Mr. Carson* remonstrated, and proposed to-morrow.

*Mr Lewis* demanded the yeas and nays.

*Mr. Gordon* opposed the third reading at this time, on account of the absence of many gentlemen who wished to record their names against it. He wished, himself, to offer some remarks upon the bill.

*Mr. Davis*, of S. C. said he had been anxious to have addressed the house, and would, if it were the wish of the house, occupy about twenty minutes. But he could not ask it. Were he a mere demagogue, he would wish no greater advantage than to have the bill thus driven through the house.

*Mr. Foster* moved an adjournment; but withdrew his motion.

*Mr. Ward* said a few words, proposing a course to be adopted.

*Mr. Wickliffe* said he never had known the previous question called on a bill which had never been read, either in the house or in committee.

*Mr. Letcher* remonstrated against proceeding at this time, as the bill was completely in the power of the house, and its passage could not be prevented.

*Mr. Coulter* hoped those opposed to the bill would commit it into the hands of the majority. It was plain that the bill must pass. He should have liked to address a few remarks to the house—but he was not solicitous on the subject—because there was another way of reaching the public than by speeches in that house.

*Mr. Carson* said he should resign the bill to the majority.

*Mr. Polk* thought it would be better to delay the third reading of the bill until the house was fuller.

*Mr. Bouldin* said there could be no need to postpone, unless those opposed to the bill could be heard. He had no other word to say, whether the bill pass to-night or to-morrow: it was the same thing to the part of the country he represented; but he ought to be allowed to declare their sentiments before it became a law.

*Mr. Beardsley* pressed the question to-night: the house had no time to hear further debate.

*Mr. Craig* said he was conscientious in voting for the bill; but he should do so without knowing how *his* constituents viewed it.

*Mr. Lyon* thought it would be better to read the bill now; and he would, in the morning, move the previous question; when all would record their votes.

*Mr. Coke* said the indications of the will of the house that the bill should pass without hearing the views of the minority were so decided that he should not oppose it: but he should prefer delivering his views.

*Mr. Polk* inquired whether, if the bill should be ordered to the third reading, and then the previous question should be called, the bill would be the first order in the morning?

The *chair* replied in the affirmative.

*Mr. Foster* moved an adjournment: which was negatived without a count.

The question was at length put on deferring the reading of the bill until to-morrow, and decided in the negative, without a count.

The question was thereupon put, on reading the bill now.

*Mr. Beardsley* moved the previous question: and it was seconded.

*Mr. Foster* asked the yeas and nays.

*Mr. Wickliffe* inquired whether the *speaker* could recognize the motion for the previous question as in order, before the bill had ever been read at all?

The *speaker* referred to the journal to prove that the bill had been twice read.

The *chair* then inquired whether any member wished the reading of the bill? if they did it should be read.

*Mr. Wickliffe* again made his question of order, and insisted that the previous question could not have been in order till the bill had been read through, as the house had ordered.

The *chair* decided that the bill must first be read. It was then read through at the clerk's table.

[It was now one o'clock in the morning.]

The question being propounded on the passage of the bill.

*Mr. Beardsley* moved the previous question—it was seconded, put and carried by yeas and nays, as follows: yeas 111, nays 40.

The house then adjourned at about half past one.

*Friday, March 1.* After some minor business—

*Mr. Verplanck*, under instruction from the committee of ways and means, made the following report:

The committee of ways and means report: That, among the subjects referred to the committee of ways and means, at an early period of the session, were the transactions of the bank of the United States, in relation to the payment of a portion of the public debt; and the inquiry into the present pecuniary and financial state and management of the institution.

The arrangement made by the bank for a temporary postponement, with the consent of the holders, of the payment of five millions of the three per cent. debt, being now substantially closed by the surrender to the government of the certificates of stock, except for a small amount, and the whole debt itself having been liquidated, so far as respects the government, at an earlier period than it is probable it would otherwise have been, this question seems no longer to present any important or practical object of inquiry, or to call for or admit any action of congress upon it.

The committee have examined several of the directors on this subject, as well as upon other points connected with the management of the institution. Their testimony is herewith submitted, and the committee specially refer to the evidence of Mr. devan and Mr. Eyre as explanatory of the history and motives of this transaction.

It is due, however, to the government to express the opinion, that, in the arrangement made by the bank agent in England for the purchase of the three per cent. stock, and the detention of the certificates, (which measures were afterwards disclaimed by the bank), the bank exceeded its legitimate authority, and that this proceeding had no sufficient warrant in the correspondence of the secretary of the treasury.

The inquiry into the present condition of the bank, the general character of its business, and the soundness of its capital, is a subject of much greater interest and importance, since it involves not only the question of the safety of the public deposites, but the value of the large amount of stock held by government, and the still more momentous considerations of the soundness of a large portion of our currency, and the consequent security or insecurity of the domestic exchanges and commerce of the country.

The president, in his message to congress, at the opening of the present session, informed them, "that such measures as were within the reach of the secretary of the treasury had been taken to enable him to judge whether the public deposites in the bank of the United States were entirely safe: but, as his limited power might prove insufficient to that object," the president recommended the subject to congress, as particularly worthy of their investigation.

Since that period, the report of the agent appointed by government for this examination, has been communicated to congress, and referred to this committee. The committee of ways and means have also received from the directors of the bank a report on the principal points of its administration and its present state, prepared by the exchange committee of the bank, and adopted by the board of directors.

The importance of the statements and results, contained in that report, induced the committee of ways and means, in the course of the examination of the directors composing the exchange committee, to require their attestation, under oath, to the facts and statements of that paper, as distinguished from its opinions and arguments. This was done very fully. The same, and other directors, (two of whom had heretofore been government directors, one under the present, and one under two former administrations), in reply to various interrogatories, stated, as will be seen in the evidence herewith submitted, the means at the command of the board of directors, or any member of it, for distinctly knowing the operations of the several branches, and the character of the paper discounted at them, together with their own opinion, drawn from these sources, of the general safety of such paper.

The committee of ways and means have to regret that the constant and daily pressure of the various duties which have devolved upon them, during this short and laborious session, did not permit a more full examination into the concerns of the institution. If, however, in the entire absence of any evidence calculated to refute, or in any way, impeach, that which is before the committee, the statements and opinions of the treasury agent, selected by the treasury to examine the condition of the bank; those of several of the present directors, men of character and intelligence, long conversant with accounts and banking business; the official returns of the bank itself, and the report of its principal committee, attested to under oath; if all these can be relied upon, as furnishing satisfactory information on the present state and pecuniary means of the institution, the following results will appear:

*First.* The directors of the bank at Philadelphia receive from the boards of their branches frequent, regular and minute returns of the paper discounted by them. These returns, together with the separate correspondence of the cashiers of the several branches, afford such information of all the business of those branches as to enable the board of the mother bank, or any single director who may wish to inquire into it, to ascertain the character of the business of those branches: as, for instance, whether the mass of paper discounted be founded on ordinary commercial transactions, and to be paid from their proceeds when at maturity, or whether any considerable proportion of it consists of what is called *accommodation paper*, regularly renewed. They can know, in like manner, whether the domestic bills of exchange, purchased at the branches, arise out of business transactions, and to be paid when at maturity, or whether they are mere accommodation paper in another form, to be repeatedly renewed by drawing and re-drawing between distant offices.

*Second.* These returns together with the reports of the boards of the several branches, upon whose character and judgment they place great reliance, form the ground upon which the directors have stated, under oath, their full confidence that the mass of paper discounted by the bank and its branches, and detailed as *active debt* in their statement, is safe. On this, they

believe, no serious loss need be apprehended. The dishonored paper held by the bank is stated to be returned as doubtful or suspended paper, and to be estimated, not at its *nominal*, but at its presumed *actual* value. The real estate of the bank is, in like manner, valued, not at cost, but on estimates founded on frequently renewed appraisals of the probable market value. They depose that, to the best of their knowledge and belief, the whole amount, with inconsiderable exceptions, if any, of domestic bills of exchange purchased by the bank and its offices, is regular business paper, founded upon the agricultural exports and commercial imports of the country; and that by far the greatest portion (probably nine-tenths) of the notes discounted is of the same character. They also assert, with much confidence, that most of their accommodation notes are well secured, and form, in fact, the safest investment of the bank.

The inquiries respecting the amount of accommodation paper were made to ascertain the character of the general business transactions of the bank; and not because the committee believed that accommodation paper, discounted to a great extent, would necessarily endanger the solidity of any moneyed institution. Such paper may frequently be as safe, and such loans as useful, as any. But it is certain, that, when moneyed institutions are in a hollow and unsound state, it commonly arises from the capital having been invested in doubtful paper of this description. The very fact, therefore, of the discounts of a bank being principally applied to the ordinary business paper of an active commercial community, will show, that, allowing for only ordinary judgment and integrity in the selection of such paper, nothing short of some general overthrow of mercantile credit will produce material loss.

*Third.* In general corroboration of their statements on this point, as well as of their opinions of the security of the bank debt, the directors appeal, 1st, to the fact of the great fluctuation of the exchange business, at the same points, at different periods, corresponding with the periods of the shipments of agricultural produce in the west; as, for instance, at Nashville, within three months in 1831, from $366,000 to $1,062,000. And again, at the same place, in 1832, within about half a year, from $2,760,000 down to $503,000. 2d, That of the easy reduction, during the last year, of about one-eighth of the whole amount of the bank debt throughout the union, and specially to the amount reduced in the western offices. 3d, To the very small amount of losses which have occurred for some time past in those offices, and to the facility with which, in addition to the aggregate reduction of loans there, a very considerable proportion of the local debt, on promissory notes, has been converted into the more secure and manageable form of domestic bills of exchange.

If these statements, and this evidence, can be relied upon, the available and secure resources of the bank amounted, on the first of January last, to eighty million eight hundred and sixty-five thousand dollars, whilst all the claims against it, for bills, debts and deposites, including those of the government, and for the redemption of the public debt, were but $37,800,000, leaving above forty-three millions as a guarantee to the nation against any losses. For as the whole amount of debts, bills and deposites must be paid before the stockholders, the whole capital and the surplus must be considered as a pledge for the debts due to individuals and the government. As the capital consists of thirty-five millions of dollars, it would appear, from this statement, that the bank had earned, and then possessed, a surplus of *twenty-two* per cent. above the amount of its capital. Whether that surplus could or could not be realised, at a final winding up of the bank, is a subject only interesting to the buyers, sellers, and holders of stock. The single point of view in which it is important to the nation, is in regard to its bearing on the healthy state of the bank, and the consequent safety of the public deposites, and the sound state of the currency. For those objects, it is sufficient to inquire, whether this surplus does or does not afford a sufficient guarantee that the original capital of $35,000,000 is unimpaired.

The whole amount of bills and paper held by the bank, on the 1st January last, was $61,695,000; of which $8,246,000 is stated to be the local debt of the western states, leaving $53,749,000 as the debt of the Atlantic commercial cities, and that in the shape of domestic bills, between them and the interior. There seems no reason to doubt that the paper of the description last mentioned, is of the same general character as that of other city banks, managed with ordinary discretion. Now, it is well known, that, in our great cities, business paper is constantly guaranteed by commercial houses of prudence, stability and wealth, for a *del credere* commission of *two and a half per cent.* On much of the better class of paper, and in some of our northern cities, upon most of it, the ordinary charge is much less: but a greater proportion of loss than this ought certainly not to occur in a well managed city bank, where the judgment and information of a board of directors is combined with that of its officers. In point of fact, it is believed that two and a half per cent. on their discounted paper actually exceeds the losses of prudently managed institutions in our cities. But, allowing the loss on the Atlantic and commercial debt, to reach four times that amount, say ten per cent. then $5,370,000 of the surplus, would be an ample guarantee against such loss. This would leave $2,680,000 as a surplus, which would meet the loss of about *one third* of the local western debt, without impairing the original capital of the bank.

The committee do not mean to be understood as asserting their belief that the western debt is more hazardous than that in any other part of the union. The bank directors express their conviction that it is not so; and the agent appointed by the treasury does not hesitate to say, "that he considers that debt in a safe and wholesome state, and that a greater amount of loss need not be apprehended from it, than from a similar mass distributed in the cities of the Atlantic frontier." But this estimate has been made, because the extent of the western transactions of the bank has been mentioned as one of the subjects peculiarly calling for investigation.

These general views of the situation of the bank, and the consequent safety of its depositors and bill holders derive strong confirmation from the fact of the large proportion of the specie in the country which is held by the bank. It appears from official documents of unquestionable authority, that the specie, actually in the vaults of the bank of the United States, is within *one-tenth* of the amount held by all the other banks in the union, whilst its circulation of paper is but *one-fourth* of the aggregate of theirs. In other words; the bank of the United States has above nine millions of specie, with a circulation of notes to the amount of seventeen millions and a half: whilst the aggregate of all the other banks, with specie in their vaults, but a little above ten millions, have a circulation of sixty-eight millions of bank paper.

If, then, the evidence herewith submitted, can be relied upon, which it is for the house to judge of, there can be no doubt of the entire soundness of the whole bank capital, after meeting all demands upon it, either by its bill holders or the government; and such is the opinion of the committee, who feel great confidence in the well known character and intelligence of the directors whose testimony supports the facts above stated.

The committee conclude by respectfully recommending the adoption of the following resolution:

"*Resolved*, That the government deposites may, in the opinion of the house, be safely continued in the bank of the United States."

The report was accompanied by sundry documents.

Mr. *Watmough* moved the printing of 10,000 extra copies of the report and documents; which was agreed to, (Mr. *Horn*, who had objected to the motion, having withdrawn his objection).

Mr. *Polk* then made a report from the minority (three members) of the committee, of which the same number was ordered to be printed.

Mr. *Daniel*, from the select committee to which was referred so much of the president's message as related to the exercise of doubtful powers, made a verbal report, stating that there was not a single point on which the committee could agree; and he had therefore been directed to move that the committee be discharged from the further consideration of the subject; which was, after some jocular conversation, agreed to.

The question recurring on the motion heretofore made, to print the report from the minority of the committee on manufactures.

Mr. *Adams* said that he should have been glad to have made some reply to the remarks of Mr. *Hoffman*, merely to satisfy the house that there had been no unfairness on the part of the minority. The report was not a speech, as the gentlemen had intimated, but a report, signed by those members who had agreed to it. But on account of the preciousness of time, he should be content with having the question taken by yeas and nays.

Mr. *Hoffman* concurred. He had merely meant to say that the paper, though in the form of a report, was, in fact, little different from a speech.

Mr. *Barbour* said that though there was scarcely a position in the report to which he agreed, he hoped it would be printed.

The yeas and nays were then taken, and the printing was ordered—yeas 93, nays 58.

The bill from the senate *further to provide for the collection of the duties on imports* came up on its final passage, (the previous question thereon having been last night ordered).

The question was decided as follows:

YEAS—Messrs. Adams, Chilton Allan, Heman Allen, Allison, Anderson, Appleton, Armstrong, Ashley, Banks, Noyes Barber, Barringer, Barstow, Isaac C. Bates, Jas. Bates, Beardsley, Bell, Bergen, Bethune, James Blair, John Blair, Bouck, Briggs, John Brodhead, John C. Brodhead, Bucher, Bullard, Burd, Burges, Cahoon, Cambreleng, Carr, Chandler, Choate, Collier, Eleutheros Cooke, Bates Cooke, Corwin, Craig, Crane, Crawford, Creighton, John Davis, Dearborn, Denny, Dewart, Dickson, Doubleday, Drayton, Draper, Ellsworth, Geo. Evans, Joshua Evans, Edward Everett, Horace Everett, Findlay, Fitzgerald, Ford, Gilmore, Grennell, William Hall, Hiland Hall, Harper, Hawkins, Heister, Hodges, Hoffman, Hogan, Holland, Horn, Howard, Hubbard, Huntington, Ihrie, Ingersoll, Irvin, Isacks, Jarvis, Jenifer, Richard M. Johnson, Joseph Johnson, Kavanagh, Kendall, Adam King, John King, Henry King, Kerr, Lansing, Leavitt, Lecompte, Letcher, Lyon, Mann, Marshall, Maxwell, McCarty, William McCoy, McIntire, McKay, McKennan, Mercer, Milligan, Mitchell, Muhlenburg, Nelson, Newton, Pearce, Pendleton, Pierson, Pitcher, Polk, Potts, Randolph, John Reed, Edward C. Reed, Russel, Semmes, Sewall, Wm. B. Shepard, Aug. H. Shepperd, Slade, Smith, Soule, Speight, Standifer, Stephens, Stewart, Sutherland, Taylor, Francis Thomas, Philemon Thomas, John Thomson, Tompkins, Tracy, Verplanck, Vinton, Ward, Wardwell, Washington, Watmough, Wayne, Wilkin, Elisha Whittlesey, Fredrick Whittlesey, Camp. P. White, Edward D. White, Williams, Worthington, Young—149.

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NAYS—Messrs. Alexander, Robert Allen, Archer, Arnold, Babcock, John S. Barbour, Barnwell, Bouldin, Carson, Chinn, Claiborne, Clay, Clayton, Coke, Conner, Cooper, Coulter, Daniel, Davenport, Warren R. Davis, Felder, Foster, Gaither, Gordon, Griffin, Thomas H. Hall, Hawes, Hughes, Cave Johnson, Lamar, Lewis, Mardis, Mason, McDuffie, Newnan, Nuckolls, Patton, Plummer, Rencher, Roane, Root, Stanberry, W. Thompson, Weeks, Wheeler, Wickliffe, Wilde—48.

So the bill was finally PASSED.

The question being on its title,

Mr. *McDuffie* said that he rose to perform a solemn duty. The house was about to destroy the rights of the states—was about to bury the constitution: he asked the poor privilege of writing its epitaph. He then offered an amendment to the title of the bill, by striking out its present title, and inserting the following in lieu thereof:—"*An act to subvert the sovereignty of the states of this union, to establish a consolidated government, without limitation of powers, and to make the civil subordinate to the military power.*"

Mr. *Wayne* moved to lay the amendment upon the table.

The *chair* said the motion was not in order.

Mr. *Speight* demanded the previous question, and the call was seconded by the house.

The yeas and nays were thereupon ordered, and being taken, stood as follows: yeas 150, nays 35.

So the house determined that the main question should now be put.

[The main question was on agreeing to the title of the bill as it came from the senate, Mr. *McDuffie's* proposed amendment having been cut off by the affirmative vote upon the previous question.]

The question was accordingly put and carried; and, in the same shape in which it passed the senate, the bill was returned to that body.

The *speaker* then proceeded to call the orders of the day; and

The bill concerning the Virginia military land warrants being reached, Mr. *Russel* withdrew the amendment he offered thereto some days ago, and the bill was ordered to a third reading.

The bill to establish the territory of Wisconsin, and the bill authorising a subscription to an edition of the laws of the United States, were severally ordered to lie on the table.

Among the business attended to was the following:

Mr. *Wickliffe*, from the committee on the public lands, reported the following resolution, which was read and agreed to, viz:

*Resolved*, That the clerk of this house continue the compilation of the land laws from the year 1827, to the end of the present session of congress, in conformity with the resolutions of 1st March, 1826, and 6th February, 1827.

The *speaker* laid before the house a letter from the secretary of the treasury, transmitting an abstract of the official emoluments and expenditures for the year 1832, of the officers of the customs; which letter and abstract were laid on the table.

The *speaker* laid before the house a letter from the secretary of the treasury, transmitting a report of the director of the mint of the assays of foreign coins in the year 1832; which letter and report were laid on the table.

On motion of Mr. *C. P. White*,

*Resolved*, That the director of the mint of the United States be requested to communicate to this house at the commencement of the next session of congress, such amendment to the existing laws, governing and regulating the mint, as he may deem necessary to the efficiency of that institution.

Mr. *Boon* submitted the following resolution, which was read and laid on the table, viz:

*Resolved*, That the secretary of the treasury be directed to communicate to this house, as early as practicable, the amount of T. Canby's defalcation on his first bond, as receiver of public monies at Crawfordville, Indiana, at the time of his entering into a second bond as receiver, and also the amount of money received by said Canby, after the date of the order for his removal from office.

*Resolved, further*, That the secretary of the treasury be directed to communicate to this house, whether said Canby, late receiver as aforesaid, has not entered lands to a considerable amount, in his own name and that of others, with the public monies by him received; which lands yet remain unpatented: the purchase money of which go to swell the amount of his defalcation, now in progress of collection against his securities.

All the succeeding orders of the day were then, by successive motions by Mr. *Wickliffe*, postponed to to-morrow, until the *land bill* was reached; when, on motion of Mr. W.

The house resolved itself into a committee of the whole on the state of the union, the *speaker* calling Mr. *Polk* to the chair.

Mr. *Verplanck* moved that the committee take up some appropriation bills, but the motion was negatived; and then, by a decisive majority, took up the bill, from the senate to distribute the proceeds of the public lands, in committee of the whole.

An amendment was offered by Mr. *Duncan* to set apart 20 per cent. of the value of the public land in certain of the new states, before the division of the proceeds should be made, instead of 12½ per cent. as in the bill. But it was negatived.

Mr. *Duncan* moved an amendment, proposing to fix the minimum price of the public lands at one dollar. But it was rejected without a count.

Mr *Wickliffe* moved to amend the second section thereof, by striking out the words which restrict the application of the funds accruing to the several states to three specified objects, (internal improvement, education and colonization), and to leave it to the states to apply the funds in such manner as the legislatures thereof shall direct.

The amendment was adopted, without a count.

Mr. *Wickliffe* also added a proviso postponing the effect of the bill, until the public debt should have been paid.

This was adopted, yeas 67, nays 42.

Mr. *Plummer* proposed to amend the bill so as to require the expense of surveys and sales of the public lands to be first deducted, before the distribution should be made among the states. He made a short speech in support of this motion, and

The question being put, it was negatived.

Mr. *White*, of Florida, moved to amend to the bill, so as to include Florida in the distribution of the land; but it was negatived without a count.

Mr. *Clay*, of Alabama, moved to amend the bill so as to allow the location of the granted lands in tracts of 80 acres, instead of 320 acres, as proposed in the bill.

In support of this motion, Mr. *Plummer* addressed the house for some time; but the motion was negatived.

Mr. *Clay* then moved to amend the bill, by striking out the whole bill after the enacting clause, and inserting in lieu thereof two sections, which he read.

[His amendment went to graduate the price of the lands, diminishing it in proportion to the time they had been in market, and remained unsold.]

Mr. *Speight* now moved a recess, but the motion was negatived—yeas 29, nays 86.

Mr. *Clay* then commenced a speech, in explanation and support of the plan he had proposed. Having proceeded about an hour, he gave way to

Mr. *Mardis*, who moved a recess. The motion was again negatived—yeas 11, nays 97.

Mr. *Clay* resumed, and having again proceeded for some time, yielded the floor to

Mr. *Duncan*, who proposed that the bill be for the present laid aside. But the committee was manifestly averse to doing so, and some confusion arising,

Mr. *Duncan* withdrew his motion; and

Mr. *Clay* proceeded, and having concluded,

Mr. *Mardis* obtained the floor, and addressed the committee for about an hour in opposition to the bill, and in favor of the amendment proposed by Mr. *Clay*.

Mr. *Plummer* next obtained the floor; and held it until 10 o'clock, in a speech directed against the bill, and in support of the amendment. Repeated attempts were made to induce him to resume his seat, and the house was frequently in a state of extreme confusion and disorder.

Mr. *Polk*, who was in the chair, earnestly remonstrated, and implored the house to be mindful of its own dignity, and however anxious they might be to act upon the bill, to respect the constitutional right of the member from Mississippi to be heard.

Mr. *Plummer* said that when he rose, he had been prepared for interruption and insult; but should not be intimidated from the discharge of his duty.

Mr. *Root* called Mr. *Plummer* to order, as having reflected in an offensive manner upon the house.

The *chair*, however, pronounced him to be in order, inasmuch as he had not said that the insult to which he alluded was intended or offered by the members of the house.

Mr. *Plummer* having at length concluded his remarks, the question was taken on Mr. *Clay's* amendment, which was rejected without a count.

Mr. *Clay* offered it again as an additional section to the bill. It was again negatived.

Mr. *Mason*, of Virginia, moved an amendment, the effect of which would be, that the whole expense of survey and sale of the land, and of the salaries of all officers connected therewith, including the expense of the general land office, should be deducted before the proceeds of the land should be distributed. The amendment was also rejected; when

On motion of Mr. *Wickliffe*, the committee rose, and reported the bill and amendments to the house.

In the house, the amendments were read, and concurred in, with the exception of Mr. *Wickliffe's* proviso, which he, himself, after examination, thought ought not to be adopted, inasmuch as the contingency for which he had intended it, would not exist.

Mr. *Mason* again pressed the amendment he had offered in committee.

It was supported by Mr. *Lewis*, and opposed by Mr. *Wickliffe*; when

Mr. *Stewart* demanded the previous question, (which cuts off all pending amendments).

The demand being seconded, Mr. *Mason* called for the yeas and nays.

They were ordered, and the previous question was thereupon put, and carried—yeas 91, nays 46.

The main question on ordering the bill to its third reading was then agreed to.

The bill was read a third time, and the question being on its passage, it was decided by yeas and nays, as follows:

YEAS.—Messrs. Adams, C. Allen, Heman Allan, Arnold, Babcock, Banks, Noyes Barber, J. S. Barbour, Barringer, Barstow, Beardsley, Briggs, Bucher, Bullard, Burd, Eleutheros Cooke, Bates Cooke, Cooper, Corwin, Coulter, Crane, Crawford, Creighton, Daniel, J. Davis, Dearborn, Denny, Dewart, Dickson, Ellsworth, George Evans, Joshua Evans, Edward

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Everett, Horace Everett, Gilmore, Grennell, Hiland Hall, Heister, Hodges, Hogan, Hughes, Huntington, Ihrie, Irvin, Jenifer, J. Johnson, Kavanagh, Kendall, Kennon, Adam King, Henry King, Kerr, Leavitt, Letcher, Marshall, Maxwell, McCarty, Robt. McCoy, McKennan, Mercer, Milligan, Muhlenburg, Nelson, Newton, Pearce, Pendleton, Pierson, Pitcher, Potts, Randolph, John Reed, Root, Russel, Aug. H. Shepperd, Slade, Smith, Southard, Stanberry, Stewart, Sutherland, Taylor, Philemon Thomas, John Thompson, Tompkins, Verplanck, Vinton, Wardwell, Washington, Watmough, Wilkin, Elisha Whittlesey, Fred'k Whittlesey, Edward D. White, Wickliffe, Williams—96.

NAYS.—Messrs. Alexander, Archer, Ashley, Barnwell, Bethune, John Blair, Boon, Cambreleng, Carr, Chinn, Claiborne, Clay, Coke, Duncan, Felder, Gordon, Griffin, William Hall, Hawkins, Horn, Isacks, Jarvis, Richard M. Johnson, Lecompte, Lewis, Lyon, Mardis, Mason, Wm. McCoy, McIntire, McKay, Plummer, Roane, Sewall, Standifer, Wiley Thompson, Ward, Camp. P. White, Worthington—40.

So the bill was passed, and returned to the senate.

[It was now near 11 o'clock; when]

On motion of Mr. *Verplanck*, the house went into committee of the whole on the state of the union, Mr. *Taylor* in the chair, and took up the harbor bill,

[Making appropriations for carrying on certain works heretofore commenced for the improvement of harbors and rivers, and also for continuing and repairing the Cumberland road and certain territorial roads.]

Mr. *Coke* moved that the committee rise, believing the house to be too much exhausted to proceed.

The motion was promptly negatived, and the committee proceeded to read and amend the bill.

The most important of the amendments were an item of $25,000 for the continuation of surveys under the act of 1824, and $34,000 for the repairs of the Cumberland road in Virginia.

Various attempts were made to insert provisions in this bill for new surveys, and the commencement of new works, but they were all promptly rejected.

The bill was then laid aside, and the committee took up the general appropriation bill, for the expenses of government for the year 1833.

On motion of Mr. *Everett*, items were added to provide for arranging the papers in the state department, and making an index to the whole of them. Also for completing the publication of the diplomatic correspondence, and the printing of the last census.

On the subject of the expenses of the general land office, Mr. *Wickliffe* said that the committee on the public lands had not been able for want of time to complete the investigation of the concerns of that department. But from the progress they had made in it, he was fully convinced that the commissioner had made an improper application of the funds placed in his hands.

Mr. *Verplanck* proposed an item to cover certain arrearages which had improperly accrued in the land office. He did it with great reluctance, and merely because the United States must of course pay debts contracted by its authority. But the expenditure had the decided disapprobation of the committee of ways and means.

Mr. *Wickliffe* concurred in this sentiment, and hoped that this instance might prove a warning to all subordinate officers in the government, against exceeding the limit of the expenses they were authorised to incur.

A good deal of discussion was had in respect to extra clerks in that department, and the great amount of its contingencies.

Mr. *Verplanck* proposed an allowance of $34,000 for extra clerk hire in the post office department; which was promptly negatived; $65,000 was provided for completing the survey of the Choctaw lands; 16,000 for the Creek cession, and 80,000 for that of the Chickasaws.

Items were inserted for continuing the printing of the public documents—for 250 copies of the debates of the old congress; and 2,000 copies of Cobb's Manual.

Mr. *Washington* moved to insert an item of $250,000 to enable the corporation of Washington to pay up its subscription to the stock of the Chesapeake and Ohio canal. This amendment was negatived with the understanding that it was to be renewed in the house.

The bill was then laid aside, and the committee took up a bill appointing a clerk to sign the name of the president to land warrants, which was agreed without amendment; when the committee rose, and reported the bills to the house; and [a little after one o'clock in the morning]—the house adjourned.

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☞An error occurred in the copy from which we printed the yeas and nays in the house of representatives on the passage of the bill for modifying the tariff, Mr. *Arnold*, of Tennessee, who voted *against* the bill, being set down as voting *for* it.

[*Nat. Intel.*

*Saturday, March* 2. The resolution reported by the committee of ways and means, expressive of the opinion that the government deposites might, with safety, be continued to be deposited in the bank of the United States, coming up for the action of the house,

Mr. *Polk* delivered a vehement speech, in opposition to its adoption. He was followed by Mr. *Ingersoll*, in support of the resolution.

Mr. *Boon* moved the orders of the day; the motion was negatived—yeas 54, nays 65.

Mr. *Ingersoll*, thereupon referring to the pressure of business and the impatience of the house, moved the previous question, he, however withdrew his motion at the request of

Mr. *McDuffie*, who replied to Mr. *Polk*, and briefly, but ardently advocated the resolution. He concluded by moving (according to his promise to Mr. *Ingersoll*) the previous question.

Mr. *Wayne* requested him to withdraw it. He referred the gentleman to Mr. *Ingersoll*, but while these gentlemen were conversing on the subject,

Mr. *Whittlesey* rose, and after a word or two moved the previous question.

Mr. *Patton* moved to lay the resolution on the table.

On this motion Mr. *Polk* demanded the yeas and nays.

Mr. *Wayne* remonstrated, and believed that the motion of Mr. *Whittlesey* had been out of time, and out of order.

The *chair* deciding otherwise,

Mr. *Wayne* submitted.

The question was then put on Mr. *Patton's* motion to lay the resolution on the table, and decided by yeas and nays—yeas 79, nays 98.

So the house refused to lay on the table.

The question then recurred on the motion of Mr. *Whittlesey* for the previous question.

The motion was seconded by the house—yeas 86, nays 30.

The previous question was then put and carried, and the main question, on the adoption of the resolution, was decided by yeas and nays—yeas 110, nays 46. So the house

*Resolved*, That the government deposites may, in the opinion of the house, be safely continued in the bank of the United States.

The house then took up the general appropriation bill, with the amendments reported from the committee of the whole.

Some desultory debate occurred on one or two of the items—particularly on an amendment offered by Mr. *E. Everett*, to extend the franking privilege, by giving it to members from the period of sixty days before their entering congress, to the first day of the congress succeeding. This amendment was agreed to. The item of $34,000 for extra clerk hire in the post office department, produced a somewhat sharp debate, in which Messrs. *Whittlesey* and *Wickliffe* opposed, and Messrs. *Conner* and *R. M. Johnson* defended and supported the amendment. A letter of the late post master general was read; and after some desultory conversation on a few amendments of minor importance,

Mr. *Hubbard* demanded the previous question; which was seconded, put, and carried; and the bill was then ordered to its third reading.

The house then took a recess from 4 to 6 o'clock.

*The evening session.* The house was occupied in reading a third time and passing some of the appropriation bills, &c.

A joint resolution with an amendment, from the senate, extending the interpretation of the pension law, occasioned some debate. Mr. *Wickliffe* opposed the resolution, and moved to lay it on the table, but withdrew his motion for Mr. *Hubbard* to explain.

Mr. *Wickliffe* farther opposed, and Mr. *Davis*, of Massachusetts, advocated the resolution, insisting that pensions ought to run not only to the proclamation of peace, but till the day of the disbanding of the revolutionary army, (Sept. 1783).

The question being taken on laying the resolution on the table, it was decided in the negative—yeas 64, nays 73.

The senate's amendment was then concurred in.

The appropriation bill for the engineer and ordnance departments was amended, and then ordered to its third reading.

A bill increasing the number of passengers in proportion to tonnage which vessels may bring into the United States, coming up, Mr. *Jarvis* moved to lay it upon the table. The motion prevailed, yeas 74.

The bill empowering the president to change the location of land offices was *laid on the table*.

The bill giving the assent of congress to an act of the state of Virginia, on the subject of the Cumberland road, coming up, Mr. *Alexander* moved to strike out the proviso retaining the jurisdiction of congress over the road.

The motion was opposed by Messrs. *Vinton, McKennan* and *Mercer*, and advocated by Messrs. *Mason, Alexander* and *Clay*.

Mr. *Stewart* demanded the previous question.

Mr. *Clay* moved to lay the bill on the table—negatived.

The previous question was seconded, put, and carried, and the main question being put, the bill was ordered to its third reading.

The house, on motion of Mr. *Davis*, of Massachusetts, went into committee of the whole on the state of the union—and after a struggle in respect to different bills proposed, took up the bill from the senate, (128), to carry into effect certain Indian treaties. It was amended, on motion of Mr. *E. Everett*, by adding a proviso for the valuation of the buildings and improvements of the American board among the Choctaws, and the payment of the balance only. The bill was then ordered to its third reading.

The committee next took up the amendments from the senate to the general appropriation bill; among these was an item for a custom house in Baltimore, advocated by Mr. *Howard*, and concurred in; another for a custom house in Newburyport; another for the investment of the money received from the government of France under the late treaty, until paid over to the claimants; another allowing the officers of the customs the same income as they would have been entitled to, had the tariff act of 1832 not passed; with some others, which our reporter failed to hear.

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The amendments were all concurred in, and the bill ordered to be engrossed.

The committee took up the bill to explain the 18th section of the tariff law of 1832. It was amended in several respects, on motion of Mr. *Cambreleng*, and then ordered to its third reading.

The hardware bill was taken up and amended, on motion of Messrs. *Stewart* and *Adams*.

The bill for improving harbors and rivers in the territories, on motion of Mr. *Sevier*, and the light house bill, on motion of Mr. *Newton*, were considered in committee, amended, and ordered to a third reading.

The committee then rose, and reported the bills to the house. The bill to explain the 18th section of the tariff act, occasioned a pretty warm debate. Mr. *Wickliffe* insisting on the proviso he had offered when the bill had formerly been in committee of the whole, confining the effect of the bill to goods which would have been entitled to drawback.

Messrs. *Hoffman*, *Cambreleng* and *Wickliffe* supported, and Mr. *Davis*, of Massachusetts, opposed the amendment.

The question being put, it was carried.

The bill was then ordered to its third reading—yeas 79, nays 47.

When the light house bill came to its third reading, an ardent contest arose. Mr. *Lewis*, of Alabama, vehemently opposed the bill, and threatened to call yeas and nays on every item of the bill.

Mr. *Davis*, of Mass. and Mr. *Cambreleng* replied, when Mr. *Lewis* moved to lay the bill on the table.

The yeas and nays were taken on this motion, and stood as follows:—yeas 44, nays 71.

So the house refused to lay the bill on the table.

Mr. *Hoffman* made various inquiries of Mr. *Cambreleng* in relation to the grounds on which the items had been inserted in the bill.

Mr. *Cambreleng* replied, and stated the strictness with which the committee of commerce had investigated each item. The amendments were all agreed to, and the bill ordered to its third reading.

[It was now two o'clock in the morning.]

Mr. *Wickliffe* moved to suspend the rules, to allow him to move that the house send a message to the senate, informing them that the house would adjourn at 4 o'clock *sine die*.

But the motion failed.

Mr. *Lyon*, of Kentucky, obtained leave to present a memorial from the legislature of that state, condemning the doctrine of nullification. The reading was dispensed with, and it was ordered to be printed.

Mr. *Whittlesey* moved to go into committee on various private bills, which he named. The motion was warmly opposed, but it succeeded.

Mr. *Wickliffe* then moved a call of the house, which motion prevailing, the house was called accordingly, when 116 members answered to their names.

Mr. *Wickliffe*, hoping that this number of members could be kept in the house to do business, moved to suspend the call. It was thereupon suspended.

The bills named, were then passed through committee, and reported to the house.

On motion of Mr. *Howard*, the following vote of thanks was passed unanimously.

*Resolved*, That the thanks of this house be presented to the hon. *Andrew Stevenson*, speaker, for the fairness, dignity, skill, and impartiality, with which he has discharged the duties of the chair, during the twenty-second congress.

Mr. *Sevier* moved to go into committee on three bills, for territorial objects. The yeas and nays were called, and it appeared that only ninety members answered to their names.

At a little before 5 o'clock, a motion was made to appoint a joint committee on the part of the house, to join a committee on the part of the senate, to inform the president that the two houses were ready to adjourn.

The question was put and decided in the affirmative—ayes 70, noes 19.

Mr. *White*, of New York, and Mr. *Polk*, were appointed the committee—and in a short time after, they returned and reported that the president had no further communication to make to congress.

Whereupon, on motion of Mr. *Barbour*, the house adjourned *sine die*.

The *speaker* then rose, and addressed the house as follows:

*Gentlemen:* I pray you to accept my grateful acknowledgments, for this renewed expression of confidence and approbation, in the discharge of the official duties of this high office.

I receive it in the same spirit of kindness, in which I flatter myself it has been offered, and shall cherish it with feelings of profound respect and the deepest gratitude. For the last six years, it has been your pleasure, that the arduous duties of this chair, should be assigned to me.

This whole period of service, has, as you well know, gentlemen, been distinguished by events, well calculated to render this station, one of more than ordinary labor and responsibility.

I have zealously and faithfully endeavored to meet this responsibility, and I hope I shall not be deemed arrogant, when I say, that I feel a proud consciousness that the duties of this high trust, have been discharged by me, with a single eye to the character and dignity of this house, the interest of my country, and my own honor.

That I have often erred, I most readily admit; but they have been errors of rule and principle, not caprice or passion; and if there has been any apparent rigor or harshness in the chair, you will do me the justice to believe, that it was unintentional and indiscriminate.

If, gentlemen, in moments of excitement and commotion, any thing unkind has occurred between myself and the individual members of the house, let me assure you it has long since passed from my memory, and been forgiven and forgotten.

I have no injuries to complain of, and no memory for them, if they existed, and I shall part with you all, this night, in the spirit of peace and good will.

Before we separate, gentlemen, will you pardon me for a moment, in offering a single suggestion?

Our councils of late have been greatly divided, and their harmony and peace disturbed.

Our country has been deeply and painfully excited, and the safety and security of the union itself threatened.

May we not all now hope that the causes of excitement are hourly subsiding and passing off? That peace and harmony and brotherly affection, will soon shed their holy calm and blessed influences around us, and that our beloved country will again become united, peaceful and happy.

In assuming this station, some years ago, I took the liberty of then expressing to the house a sentiment which I had long cherished, and what I now seize this fit occasion of repeating from this chair. It is this: that our confederated republic can only safely exist, under the influence of wise, equal and just laws; by the ties of common interest and brotherly affection; a spirit of mutual forbearance and moderation, (collectively and individually), and by cherishing a devotion to this [illegible] union, secured to us by the blood of our common fathers. These are the stable foundations upon which our liberties and free institutions can alone rest; and God grant they may be eternal. This, gentlemen, in all human probability, is the moment of separation, with many, very many of us, forever. Is there one individual present to whose bosom a final separation from those with whom he has been so long and intimately associated, will not cast a painful and bitter pang? If there be, I confess I envy not his feelings.

You will carry with you, gentlemen, my cordial and best wishes for your individual prosperity and happiness, and I pray you to receive this my most affectionate, and possibly, last farewell.

The *speaker* then adjourned the house *sine die*.

*House of representatives—Monday, Feb. 25.* A message, in writing, was received from the president of the United States, by Mr. Donelson, his private secretary, as follows:

*Washington, 22d Feb.* 1833.

*To the house of representatives:*

I transmit herewith, for the consideration of the house, a letter from general *Lafayette*, to the secretary of state, with the petition which came enclosed in it of the countess d'Ambugers, and Mde. de la Garce, granddaughters of marshal count Rochambeau, and original documents in support thereof, praying compensation for services rendered by the count to the United States during the revolutionary war; together with translations of the same. And I transmit with the same view, the petition of Messrs. de Fontaville de Juramont, and de Rossignal Grandmont, praying compensation for services rendered by them to the United States in the French army, and during the same war, with original papers in support thereof; all received through the same channel, together with translations of the same.

ANDREW JACKSON.

The said message with the petitions and papers accompanying the same, was referred to the committee on revolutionary claims.

## LIST OF ACTS

*Passed at the second session of the twenty second congress.*

An act to explain an act, entitled "an act to reduce the duties on coffee, tea and cocoa," passed the twentieth of May, 1830.

An act to establish a land office in the territory of Michigan.

An act to improve the condition of the non commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion.

An act making appropriations for the engineer and ordinance departments.

An act authorising the commissioner of the general land office to issue patents to persons therein named.

An act to authorise the county commissioners for the county of Peoria, in the state of Illinois, to enter a fractional quarter section of land for a seat of justice, and for other purposes.

An act granting an additional quantity of land for the location of revolutionary bounty land warrants.

An act to amend an act, entitled "an act to alter and amend an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," approved 19th February, 1831.

An act for the purchase of certain copies of Watterson & Vanzandt's Statistical Tables, and to authorise a subscription for the continuation of the same.

An act to secure to mechanics and others payment for labor done, and materials furnished in the erection of buildings in the District of Columbia.

An act for the construction of a road from the Mississippi river to William Strong's, on the St. Francis, in the territory of Arkansas.

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An act for making Calais and Pembroke, in the state of Maine, ports of delivery.

An act making appropriations, in part, for the support of government for the year 1833, and for certain expenditures of the year 1832.

An act in addition to the act for the gradual improvement of the navy of the United States.

An act making appropriations for carrying on the fortifications of the United States during the year 1833.

An act making appropriations for the Indian department for the year 1833.

An act for the further improvement of Pennsylvania avenue.

An act to authorise the laying out and constructing a road from Lime creek to the Chatahooche, and for repairing the road on which the mail is now transported.

An act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and the Michigan territory.

An act to change the names of William B. Finch and Elizabeth B. Finch, to that of William Compton Bolton and Elizabeth Bolton.

An act to amend an act, entitled "an act to grant a quantity of land to the state of Illinois, for the purpose of aiding in opening a canal to connect the waters of Illinois river with those of Lake Michigan, and to allow further time to the state of Ohio for commencing the Miami canal from Dayton to Lake Erie.

An act prescribing the mode by which patents for public lands shall be signed and executed.

An act to authorise the president of the United States to cause the public surveys to be connected [illegible] Indiana and Illinois.

An act to explain and amend the 17th and 18th sections of "an act to alter and amend the several acts imposing duties on imports," approved 14th July, 1832.

An act to improve the navigation of the Potomac river between Georgetown and Alexandria, and for other purposes.

An act to incorporate the Georgetown Free School and Orphan Asylum, of the District of Columbia.

An act supplemental to "an act for the relief of Alexander Claxton," passed on the 28th day of May, 1830.

An act further to extend the powers of the board of canal commissioners for the improvement of the Tennessee river, in the state of Alabama.

An act making provision for the publication of the documentary history of the American revolution.

An act further to provide for the collection of duties on imports. [This is what has been called "the revenue collection bill."]

An act to revive the act entitled "an act supplementary to the several laws for the sale of public lands.

An act declaring the assent of congress to an act of the general assembly of the state of Virginia, hereinafter recited.

An act for improving the navigation of certain rivers in the territories of Florida and Michigan and for surveys, and for other purposes.

An act establishing a port of entry and delivery at the village of Fall River, in Massachusetts, and discontinuing the office at Dighton.

An act making appropriations to carry into effect certain Indian treaties, and for other purposes, for the year 1833.

An act to create sundry new land offices, and to alter the boundaries of other land offices of the U. States.

An act making appropriations for Indian annuities and other similar objects, for the year 1833.

An act further to extend the time for entering certain donation claims to land in the territory of Arkansas.

An act to modify the act of the 14th July, 1832, and all other acts imposing duties on imports. [This is Mr. Clay's bill.]

An act making appropriations for the revolutionary and other pensioners of the U. States for the year 1833.

An act for the more perfect defence of the frontiers.

An act granting certain city lots to the president and directors of the Georgetown college, in the District of Columbia.

An act supplemental to the act, entitled "an act for the final adjustment of land claims in Missouri."

An act to authorise the legislature of the state of Ohio to sell the land reserved for the support of religion, in the Ohio company's and John Cleves Symmes' purchase.

An act making appropriations for the naval service for the year 1833.

An act making appropriations for the erection of certain fortifications.

An act in relation to the Potomac bridge.

An act making appropriations for the civil and diplomatic expenses of government for the year 1833.

An act to amend an act, entitled "an act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution."

An act authorising the removal of the office of surveyor general of public lands south of Tennessee.

An act making appropriations for the support of the army for the year 1833.

An act supplementary to an act, entitled "an act concerning a seminary of learning in the territory of Arkansas," approved 2d March, 1827.

An act to authorise the issuing of a patent or patents to Samuel Hall.

An act in addition to, and in alteration of an act, entitled "an act vesting in the corporation of the city of Washington all the rights of the Washington canal company, and for other purposes."

An act to authorise the president of the U. States to exchange certain lands belonging to the navy yard at Brooklyn for other lands contiguous thereto.

An act making appropriations for carrying on certain works heretofore commenced for the improvement of harbors and rivers, and also for continuing and repairing the Cumberland road and certain territorial roads.

An act to establish a town at St. Marks, in Florida.

An act making appropriations for the public buildings; and for other purposes.

An act authorising an alteration in the election districts for members of the legislative council of the territory of Michigan.

An act prolonging the second session of the fifth legislative council of the territory of Michigan.

An act to authorise the governor of the territory of Arkansas to sell the land granted to said territory by an act of congress approved the 15th June, 1832, and for other purposes.

An act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the 14th day of October, 1832.

An act to extend the provisions of the act of the 3rd of March, 1807, entitled "an act to prevent settlements being made on lands ceded to the United States until authorised by law."

An act to explain and amend the act to alter and amend the several acts imposing duties on imports, passed July 14, 1832, so far as relates to hardware, and certain manufactures of cop- [illegible]

An act for the relief of the widow and orphans of the officers and seamen who were lost in the United States schooner the Sylph.

PRIVATE ACTS.

An act for the relief of William Tharp; James Taylor, of Kentucky; Eleanor Courts, widow of Richard Henley Courts; the mother of Fitz Henry Babbit, late a lieutenant in the navy of the United States; Farish Carter; John D Sloat; Enoch Wilhoet; the heirs and legal representatives of George Hodge, deceased; Samuel Goode; Adam Caplinger; Edward B. Babbit; Newton Berryman; Joseph Gaston, of South Carolina; Raphael Paine and Elias Arnold; Algernon S. Thruston; Elizabeth Scott, assignee of Alexander Scott, jun.; Absalom Boles; James Gibbon and Sarah Price, widow of William Price, and Philip Staughton; the heirs of Jean Baptist Saucier; Eugene Borell; Daniel Johnson; Joseph Eaton, an assistant surgeon in the army of the United States; Thomas Triplett; Russell Hotchkiss and others, owners of the brig Stranger; Josiah P. Creesey and others; Gabriel Godfrey and Jean Baptiste Beaugraud; John Thomas and Peter Foster; the children of Charles Combs and Marguerite Laviolettee, his wife; Riddle, Becktle and Headington; Robert Eaton; Jane Dauphin, administratrix of John Dauphin; James Brownlee; the legal representatives of the late col. John Thornton, deceased; Joel Thomas; Daniel Goodwin, executor of Benjamin Goodwin, deceased; John Bruce, administrator of Philip Bush, deceased; Matthew Flournoy, and R. J. Ward, of the state of Mississippi; Archibald Gamble; the heirs of Nicholas Hart, deceased, and the heirs of John Grayson, deceased, and Jacob Bosworth; Archibald Watt; William B. Keene and John L. Martin, and for other purposes; Peter McCormick; Crosby Arey; major Abraham H. Massias; the legal representative of John Miller, deceased; George Mayfield; the heirs of John Wilson, deceased; William A. Tennille, of Georgia; Josiah Barker; Alexander Donelson; Andrew Moore; Robert Kane; John S. Devlin; the legal representatives of John Peter Wagnon, deceased; the heirs and representatives of John Campbell, late of the city of N. York, deceased; Jared E. Groce, of the state of Alabama; William Osborn; lieut. Harvey Brown; William Stewart; Hugh Beard; Peter Bargy, jun. Stephen Norton and Hiram Wolverton; Thadeus Phelps & Co.; Archibald W. Hamilton; Sylvester Havens; certain invalid pensioners therein named; the widow of Joseph Knight; Wm. P. Zantzinger; Joshua P. Frothingham and the heirs of Thomas Hopping, deceased; Glover Broughton, of Marblehead, late owner of the fishing schooner Union, and also for the relief the crew of said vessel; lieut. George D. Ramsay, of the army of the U. States; Abraham Adams; Sarah Carr, widow of Richard Carr, deceased; James Range, a soldier of the revolution; the heirs of Dr. Isaac Ledyard; the heirs of col. John Ely, deceased; James Barnett; Robert C. Jennings, and the executors of James Roddy, deceased.

RESOLUTIONS.

A resolution in relation to the execution of the act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution.

A resolution to place thirty copies of the diplomatic correspondence of the American revolution at the disposition of the secretary of state.

A resolution for the relief of sundry owners of vessels sunk for the defence of Baltimore.

Resolution authorising the delivery of certain papers in the department of state to the commissioners for settling claims under the treaty with France, of the 2d of February, 1832.

Resolutions providing for the continuation of Gales & Seaton's compilation of state papers.

Resolution authorising the secretary of war to correct certain mistakes.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 3—VOL. VIII. BALTIMORE, MARCH 16, 1833. [VOL. XLIV. WHOLE No. 1,121.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.


☞It will be seen by a brief article inserted below, that a veteran friend of domestic industry has made his valedictory to the "AMERICAN SYSTEM"—in a settled belief that the principle of protection has been abandoned. Mr. *Carey* will carry with him, into his retirement, the warm wishes of thousands, that the remainder of his days may be as happy as those of his past life have been useful; and the distinguished talent and disinterested zeal with which he pursued his munificent purposes, will long be, and "sweetly, remembered." Whether (consulting both *inclination* and *interest*), I ought not to follow this lead of my old and valued friend, is a question that will be held yet a short season under advisement—for the sense of what was esteemed *duty* is blunted, in a hopelessness of rendering desired service; but of this I shall speak at length when the "signs of the times" more distinctly appear. The flag of the "American System" must either be run up to the mast-head, to bear the "battle or the breeze"—or be "doused" and cast overboard. It shall not fly at half-mast in the REGISTER. If any thing is worth doing at all—it is worth doing well, with all one's heart. It is easy to retire from a position—to give it up altogether, and obtain peace in submission; but I am not sufficiently versed in the doctrine of the "non committal," or either-neither-sidean school, to conduct this work *between* the wants and the rights of free labor, and the demands of nullificators and anti-protection men. The doubt is—whether a plank remains afloat to sustain the "system." Perhaps, there is—in the phalanx which voted against the new tariff law in the house of representatives; but is it worth while to take hold of that plank, in the circumstances under which we are placed?

On two memorable occasions, I have stood upon the same ground, with respect to the same subject—insisting, during the long embargo, &c. and the war, that congress had a right so to "regulate commerce with foreign nations," as to *prohibit* all interchanges or intercourse with them; and more recently, that this power to "regulate commerce" might be surely exerted for the purpose of *protecting* the industry of the American people, as foreign nations protect their industry. In neither case, would I admit the existence of a rightful authority, in any section of the union, or particular state, to "nullify" the laws of the United States. It was no matter to me, whether "moral treason" was cherished on the north or the south of the Potomac. What was wrong on the one side of that river must be wrong on the other side of it—*at least I think so!* But the right to "regulate commerce" being perfect in congress—I would not have any law upon that subject "nullified," except in appeals to the sober judgment of the people, and by force of the ballot. *No* consideration has yet presented itself to my mind that would have induced me to vote for the tariff law recently passed—for any action on that subject should have been preceded by a repeal of the ordinance of South Carolina; and besides, I cannot admit that the main purpose of assessing duties on goods imported should be the collection of revenue. The practice of every civilized nation is against this heresy:—and such *taxes* are unequally, and, of course, unjustly, imposed on the people of the United States. In their protected labor on the one hand, they should have an indemnity for the *extra* amount of the public contributions which free working persons are required to pay, and of public service, which they are expected to render, in times of need. Yet, the law being passed, must be obeyed; though believing it impossible that I shall ever yield an acquiescence to its principles, as I "understand" them, and as every citizen has an undoubted right to interpret them—if he pleases.

I impeach no man's motives—some few of my nearest and dearest friends, men worthy of all honor, in my estimation, voted for, or now render a qualified support to this law. I condemn them not—shall not quarrel with them. I affect no mastery over others men's opinions—but will admit of none over my own; except in a submission to the reason and fitness of things.

As before intimated, I shall, as soon as the bustle of business is a little over, and time is allowed for the people to reflect on the subject—present my views of the *operation* and *effect* of this bill, *in extenso*;* shew why the power to "REGULATE COMMERCE" was inserted in the constitution; and, if I can, expose the grand heresy, that *regulations of commerce* should only be governed by *the wants of the treasury*. How has it been—how is it—with respect to the interests of the merchants and ship-owners?

—

In a subsequent page will be seen what may be esteemed the opinions of both parties in South Carolina, concerning the new tariff law. The "nullificators" believe that they have obtained a glorious victory—and the "union party," also opposed to the protective system, appear fully satisfied. The latter resisted the application of *force* to amend the laws—and certainly deserve much praise for the steadiness with which they maintained their ground.

The "Washington Telegraph" says—"We presume that South Carolina will acquiesce in the compromise which has been offered in Mr. Clay's bill; and which, by-the-by, is very similar to the bill drawn up by Mr. Tazewell at the last session, which bill met the approbation of the southern members, but it was not brought forward, as it was clearly ascertained that such a bill had no possible chance of passing.

"*Nullification is triumphant. What has produced the settlement of the tariff question?* NULLIFICATION. WOULD WE HAVE SEEN MR. CLAY'S BILL HAD IT NOT BEEN FOR THE ACTION OF SOUTH CAROLINA?"

The "Georgia Journal" of the 7th March, announcing Mr. Clay's bill, heads the news with "DEATH TO PROTECTION."

The "Richmond Enquirer" says—"We bid Mr. Clay's bill welcome, on account of its conciliatory tendencies—but it is a piece of patch-work which is very imperfect, and will require great amendment. It will, however, be *amended*, in the true, not technical sense of the word. It will be *improved*, and not made worse by the change. Let Mr. Clay be assured, that our chains will be relaxed, not made tighter. He may try to soothe the monopolists by hopes of better days. He may beg them to wait for more *fortunate times*, and a *more efficient protection*. That time will never come. Thanks to Mr. Clay! He himself has contributed to sing the *requiem* of his protective system. We hail the *euthanasia* with delight."

* * * "The tariff has received its death-blow—and so has nullification.† By a singular fatality, it happens, that the two individuals, who have been most active in raising up this monstrous tariff, have been forced by public opinion to slay it."

The "New York Evening Post" after much self-compliment, because of its efforts in the support of "free trade," says—"Our readers who have gone with us in this contest will now permit us to tender them our cordial congratulations on witnessing this proof, that the political superstition of protection is passing away from the land. *A system founded in the most short-sighted selfishness has received its death blow. There is no fear that another congress will undo what this has done, further than to make the measure more perfect. The experiment has been fully—almost fatally, tried; and it will be recorded in our history only to avoid its repetition.*"

☞We might fill a page or two with things of this sort.

—

A correspondent of the New York American, under date of Washington, March 3, says—Congress adjourned last night, having completed the great work of pacification. To Mr. Clay it was a proud day. His tariff and land bills both received the final sanction of congress; and when to these is added the passage of the enforcing bill, we may safely say, that no day ever saw more done in that body for the perpetuation and strengthening of the government. The tariff, while it does not expose to immediate danger the great manufacturing interests of the country, satisfies the south for the present, and affords to South Carolina an opportunity to escape from the hazardous position in which her rash and misguided leaders had placed her. In doing this, it also does away the necessity of wielding those powers for the vindication of the authority of the government, which, however necessary it might have been to vest in the hands of the president, I would rather have seen entrusted ton

* But previous to this exposition, and as soon as room can be made for it, I shall publish the corrected speech of Mr. *Clay* (just received), which embraces not only his reply to Mr. *Webster*, but several observations made by him on other occasions, during the progress of the bill.

†No nullifier will agree to this—every one says that nullification is the "*lion rampant*" on the shield of "state-rights."

ED. REG.



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man, who, with his firmness and decision, had more calmness of temper, and acted less under the influence of personal feelings.

We have postponed a dangerous crisis by the passage of these bills; and at the same time we have distinctly declared, that the government has the power to enforce its rights.

The tariff bill, while it accomplishes these desirable ends, is not, however, without objections. By ultimately abolishing all discrimination in duties, it surrenders a power of the federal government of great value, and one which the people will not consent shall be a dead letter: and it does it, too, upon compulsion, and thus encourages future malcontents to venture upon the dangerous experiment of rebellion, to relieve themselves from all laws which they may imagine to operate injuriously against their peculiar interests. The law, too, will be difficult to carry into effect, from the peculiar manner in which the reduction is to take place, in order to bring all duties to an ad valorem duty of 20 per cent. Many articles now pay a specific duty, as sugar and spirits. Others, i. e. paper, cottons and woollens, pay a duty partly specific, and partly ad valorem. For the purpose of deducting the 1-10th of the excess of the present duty over an ad valorem duty of twenty per cent. it will be necessary to ascertain the value; and it is not pointed out in the law how that is to be done, nor whether the market value or cost at the place of production, or the home value, shall be taken as a standard. The bill, therefore, may be regarded rather as an experiment than a permanent measure: and it is not impossible that it may be repealed next year. Still, however, it gives time to reflect; and time may furnish the cure which skill cannot. On this point, Mr. Clay did not agree with Mr. Webster. The latter was unwilling to sanction a bill which he thought was calculated to delude the public mind, and never intended to realise the benefits it promised. In this difference, however, there was no petty insinuation as to motive, but, as statesmen and gentlemen, they paid a proper tribute to the motives which had compelled them to differ.

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We have only to add—for the present: "HE WHO GIVES UP ESSENTIAL LIBERTY, TO PURCHASE A TEMPORARY SAFETY, DESERVES NEITHER LIBERTY NOR SAFETY."

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☞We have a copy of Mr. *Calhoun's* speech in the senate, in opposition to the passage of the bill further to provide for the collection of duties on imports, and also Mr. *Webster's*, in reply. We should, probably, and promptly, have given to these speeches an insertion in the REGISTER, proper, but for the reason that Mr. *Calhoun*, (especially), refers so often to the arguments of gentlemen who had preceded him in the debate, that justice could not be rendered to the latter—their speeches being omitted: and so we have thought it not only the most expedient, but also most just, that these speeches should simply have their regular places in the supplement for the last volume, now in the press, and to be published next month.

The very great length of these speeches would, also, have much embarrassed the current business of the REGISTER; and besides, most persons anxious to read them, will have had an opportunity before we could present them. They will be preserved, for the deliberate judgment of the people.

We pity the poor things who condemned Mr. *Webster's* reply to Mr. *Hayne*, about two years ago—and, "on their allegiance," are now compelled to approve Mr. *Webster's* answer to Mr. *Calhoun*.

—

☞According to custom, we present *the other side* of the question—by inserting the "supplemental report" of the minority of of the committee of the house of representatives on the subject of the bank, while regretting the room that it occupies—for we do not see that it contains any thing of practical usefulness, being made up of high-pressure statements; and which, if even sustained in the most ample manner, would not have any sort of effect on the question at issue, as to the safety of the public deposites in the bank of the United States: for *if* the whole amount of the much-talked of western debts were lost, the safety of these deposites would not be at all endangered. It is "labor in vain"—the common sense of the people utterly rejects this weak movement of a small fragment of political party—as the decided proceedings of a great majority of the house of representatives most clearly shews. Credence was not yielded to certain statements—however strongly they had been endorsed.

This supplemental report, however, shews the truth of a statement which we were loath to believe—that persons had been engaged in the *honorable* business of making "a run" upon one of the western branches—and, in an embarrassment of that branch, thus wantonly, or maliciously, caused—hoped to find the semblance of proof for certain assertions, which, perhaps, not one intelligent man *really* believed—unless in that devotion which *forces* an assent to all that "the party" sends out *to be* believed—white being black, or blue red, in the fulness of political orthodoxy. These persons have no generous affections. To defeat an enemy—to render him *hors de combat*, incapable of further resistance, is not sufficient: the dead or the dying must still be assailed—and even the goodness of their bones to manure the land* be questioned.

The semi-weekly "Globe" of the 13th inst. has twenty-two columns of matter "about the bank." Hardly twenty-two persons, we think, will ever read it, excluding those who are directly interested in the discussion.

—

☞The report of the minority of the committee on manufactures of the house of representatives, signed by Messrs. *Adams* and *Condict*, has been received. It is able and highly interesting—plain, pointed and instructive, prepared in Mr. Adams' own strong and peculiar manner—and we must publish it, for numerous reasons; but its great length—filling eighteen of the capacious and close columns of the "National Intelligencer"—compels a present postponement. It is a powerful exposition of the principles of the protecting system, and a review of certain proceedings had to overthrow it.

The Intelligencer, speaking of the report says—"It is from the pen of Mr. *Adams*, and signed by himself and Mr. *L. Condict*, comprising the minority of the committee on manufactures. To that committee, at the commencement of the session, the reader will recollect, was referred so much of the message of the president of the United States as related to the subject of manufactures. The committee was so adversely organized, and the committee of ways and means moved upon them so promptly with the anti tariff bill, that there was no hope of any action by the committee of manufactures in favor of that interest. Unwilling, apparently, that any duty imposed upon him should be neglected or pretermitted, Mr. *Adams* then set about and has prepared the document we refer to, which, to say the least of it, may be considered the most important of those to which the session gave birth.

"The report does not confine itself to the comparatively narrow question of the relation of manufacture and importation; but it considers the subject of the protective policy, in a larger view, in connection with the other objects of recommendation in the message, to which it was decidedly adverse, as it is to the reduction of the tariff. The report is, in fact, a review of the scheme of policy unfolded in the annual message, which, we had occasion to remark, at the time, if carried out into action, would leave us nothing in the government worth contending for.

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☞Our old and valued friend—MATHEW CAREY, esq. has sent us a copy of his valedictory "to the manufacturers of the United States," recapitulating his efforts to establish and sustain the "American System," and stating the reasons for his retirement from discussions of that subject. The following are the closing paragraphs of his circular:

"Let us now see the actual state of the country.

"The dignity of the government is indelibly tarnished; as a single state, the thirteenth of the whole, in regard to white population, has, with arms in her hands, dictated terms to the other twenty three, and forced them to surrender at discretion. *Proh pudor!*

"To remove the imaginary grievances of a portion of the states, real substantial grievances are inflicted on the remainder, whereby a large portion of their industry and happiness will be blasted and withered.

"We ingloriously abandon the union party who have so nobly defended the cause of the country, and leave them to be trampled under foot by their violent opposers, who have unconstitutionally disfranchised them!!

"We have established, in a great measure, the right of a single state to 'nullify' laws enacted by the majority of the nation!

"After having, in compliance with the threats of three fifths of 250,000 white people, enacted, in 1832, a tariff, fraught with large concessions and sacrifices, we again yield to their threats, and before that tariff goes into operation, we enact another, in 1833, which appears to renounce the principle of protection almost altogether!!!

"This hideous state of things might and would have been prevented, had a fourth part of the pains been taken, or the expense incurred, to enlighten the southern people, that were employed by the nullifiers to poison their minds.

"What a fearful responsibility have those misguided citizens incurred, whom no facts or arguments could induce, in 1828, 29, 30, 31 and 32, to make any sacrifices for the prevention of such a mass of evil! M. CAREY.

"*Philadelphia, Feb.* 28, 1833."

It is proper to observe, in explanation, that Mr. *Carey* complains of the want of liberality in the manufacturers, with respect to contributions for the publication and distribution of his

*Vast quantities of human and other bones have been imported into England, and there ground in mills, for the purpose of manuring the fields. The imports were heavy from Waterloo!

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own essays, and other papers, having reference to the system: that is, for mere payments for paper and print—Mr. C. having no sort of pecuniary interest in the matter.

☞Two letters were received by the editor this week, which it may be well to notice. One contained a five dollar bill, with the brief writing, "no apology is necessary for sending you payment for the Register for 1833"—and on this letter 50 cents postage was paid. The other was a long letter on speculative matters, and contained a one dollar bill, in payment for the supplement for the last volume, on which *we* paid 37½ cents postage—a larger sum than the profit on the supplement ordered will amount to.

As only a small comparative number of this supplement is printing [and if any copies remain beyond the prompt demand of the subscribers to the Register for them, will be offered for general sale,] it is necessary that we should be apprised of the wishes of our friends to possess them; but other than the expensive mode just mentioned of making known such wishes, should be resorted to. And, as the debate in the senate is eminently calculated to increase the knowledge of the people in matters of high public interest—and as, besides, the transmission of the supplement, by mail, will increase the amount derived from postages—we think that it will not at all interfere with the strictest duty of postmasters to send on the names of their neighbors, if disposed to accomodate them, in this respect.

Manufactures of iron. We feel much mortified in presenting the following exhibit of *four-o'clock-in-the-morning* proceedings in congress: but it may serve as a warning for future legislation.

In the last Register, page 18, we inserted a paragraph from the "National Intelligencer," saying—

"Among the acts, of which a list is published, is one reported by Mr. *Verplanck*, which passed in the night of Saturday, and which seems to us of sufficient importance to the importing merchants, as well as to the revenue officers, to justify a special reference to it. By the operation of the general act of July, 1832, unintentionally, probably, on the part of congress and of those who framed it, the duties imposed on many kinds of *hardware* were nearly doubled, and other inconveniences interposed in the way of importers. These are removed by the act just passed; in which also the inconveniences from the duties on *copper*, brass plates, and copper for sheathing vessels, are also remedied, by restoring the duties on all these articles to their former footing, except copper sheathing, which is hereafter to be admitted free of duty."

And the "New York Journal of Commerce," perhaps taking its lead from the "Intelligencer," has said—

"We learn that the bill introduced into the house of representatives by Mr. Verplanck, some time since, for correcting the error in the act of 1832, which imposed increased duties on hardware, passed at a late hour on Saturday night, and *has become a law.* It was amended, by an additional section relating to brazier's copper, copper sheathing and brass plates: all of which, with hardware, are restored to their former rates, which were unintentionally changed by the act of 1832."

Now we have good reason to believe, and surely do believe, that the parts of the law of 1832 which are repealed, were not put into that law "*unintentionally*," or in "*error*," but deliberately inserted for the express purpose of preventing frauds on the revenue, and for the just encouragement of American makers and manufacturers of iron; as we think will appear from a simple reading of the following clauses of the second section of the act:

Tenth. On axes, adzes, hatchets, drawing knives, cutting knives, sickles, or reaping hooks, scythes, spades, shovels, squares of iron or steel, plated brass and polished steel saddlery, coach and harness furniture of all descriptions, steelyards and scalebeams, socket chisels, vices and screws of iron, called wood screws, thirty per centum ad valorem; on common tinned and japanned saddlery of all descriptions ten per centum ad valorem: *Provided*, That said articles shall not be imported at a less rate of duty than would have been chargeable on the material constituting their chief value, if imported in an unmanufactured state.

Twelfth. On japanned wares of all kinds, on plated wares of all kinds, and on all manufactures, not otherwise specified, made of brass, iron, steel, pewter or tin, or of which either of these metals is a component material, a duty of twenty-five per centum ad valorem: *Provided*, That all articles manufactured in whole of sheet, rod, hoop, bolt or bar iron, or iron wire, or of which sheet, rod, hoop, bolt or bar iron, or iron wire, shall constitute the greatest weight, and which are not otherwise specified, shall pay the same duty per pound that is charged by this act on sheet, rod, hoop, bolt or bar iron, or on iron wire, of the same number, respectively: *Provided, also*, That the said last mentioned rates shall not be less than the said duty of twenty-five per centum ad valorem.

The *provisos* in these clauses are repealed; and certain *manufactures* of metal, (so called, to evade the duty), may be admitted at a less rate of duty *per lb.* than the *mere* iron out of which they are *so* manufactured would pay; the absurdity and injustice of which need not be pointed out—but would be hardly worth mentioning, in the present state of abandonment, except by way of caution as to things which have no relation to, or concern with, the seemingly rejected "American System."

We shall only give a statement of the facts which belong to this important change in the tariff law, in the words of a friend who was present when the bill passed the senate:

"Mr. *Clay's* compromise tariff bill became a law about 3 o'clock of the morning of the 3d inst. and an hour afterwards the principle of the compromise was violated, for the first time, by passing a bill suspending until the 1st of June 1834, the operation of the *provisos* in the 10th and 12th clauses of the 2d section of the act of 1832—introduced into that bill to forbid the importation of manufactured iron at a less rate of duty than was imposed upon the raw material, and to prevent a variety of frauds in the importation of iron.

Gen. *Smith* had introduced a bill into the senate to repeal so much of the law of '32 as respected brasier's copper, copper bottoms and leaf tobacco, which was considered and passed. The house of representatives, entertaining an opinion that such a bill should not originate in the senate, originated the same bill themselves; but added to it a section postponing the provisos mentioned—which passed that body without discussion, and was sent to the senate. As soon as it was received, Mr. —— * rose, and stated that this bill was identically the same with the one sent from the senate, and, thereupon, he moved to dispense with the reading of it. It was read by its title three times and passed, all in less than five minutes. As soon as the bill was laid upon the secretary's desk, Mr. *Dickerson* took it up and discovered this new section—and informed the senate that they had been surprised into the passing of an important section which had never been read in the senate. Mr. ——, mortified that he had, upon the information of some third person, stated that this was the identical bill which had formerly passed the senate, moved for a reconsideration of the vote on passing the bill. It was reconsidered—but, on a motion to amend the bill, by striking out the obnoxious section, it was objected that this could not be done without reconsidering the vote for ordering the bill to a third reading. A motion was made for reconsidering this vote, but failed for want of a quorum. It was then urged that the bill ought not to pass, inasmuch as the negative of a single senator could, and no doubt would, have prevented a second reading of the bill, had it been read once. It was further urged, that these provisos ought not to be suspended, inasmuch as they were adopted for the purpose of giving the manufacturers of iron in this country some compensation for the great reduction of duty on that article which they had been obliged to submit to, and that it was unjust to take from them this advantage, unless a like suspension should apply to such part of the law as reduced the duty upon iron. It was also urged that this was in violation of the principle of the compromise law just passed: on taking the vote, a bare quorum of 25 were present—17 of whom voted in favor of passing the bill, and 8 against it."

☞The following is a copy of the law just above alluded to—

An act to explain and amend the act to alter and amend the several acts imposing duties on imports, passed July fourteenth, one thousand eight hundred and thirty-two, so far as relates to hardware, and certain manufactures of copper and brass, and other articles.

*Be it enacted by the senate and house of representatives of the United States of America, in congress assembled*, That the provisions of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports passed July fourteenth eighteen hundred and thirty-two, be, and the same are hereby suspended until the first day of June, eighteen hundred and thirty four.

Sec. 2. *And be it further enacted*, That so much of the act to alter and amend the several acts imposing duties on imports, passed July the fourteenth, eighteen hundred and thirty-two, as repeals the duties heretofore levied on copper bottoms cut round, and copper bottoms raised to the edge, and still bottoms cut round and turned upon the edge, and parts thereof, and of copper plates or sheets, weighing more than thirty-four ounces per square foot, commonly called braziers copper, and on tobacco leaves, or unmanufactured, be, and the same *is* hereby repealed.

Sec. 3. *And be it further enacted*, That nothing contained in the act of the fourteenth of July, eighteen hundred and thirty-two, to alter and amend the several acts imposing duties on imports, shall be so construed as to authorise the exemption from the payment of duty on sheet and rolled brass, but the same shall be charged with the payment of a duty of twenty-five per centum ad valorem.

*The name of this senator is not given—for the reason that *if* there was any trick in the transaction, he *is* not of the class that would have had a part in it. Ed. Reg.

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"The bloody bill." The law "further to provide for the collection of duties on imports," is called "*the bloody bill*," by all the nullifiers, and some yet talk about letting blood, because of its passage! We have not had time to examine the provisions of this bill in comparison with certain parts of the embargo laws, passed under the administration of Mr. *Jefferson*—the great state-rights president, and author of the sentiment, that "nullification is the rightful remedy;" but if memory serves correctly, the laws enacted to enforce the embargo, went, at least, as far, if not much further, than the "bloody bill." But there is this difference: the laws, in the one case, were intended chiefly to operate on the "federalists" of the east, and, in the other, on the "democrats" of the south—which "materially alters the case!" There are two sides of the "Tweed," as the noble Potomac has been contemptibly designated by southern orators, for lack of brains, or want of resolution, to describe American things by American names.

Dreadful suffering in South Carolina! The Charleston races have been uncommonly well attended, with great displays of fashion and wealth: and the Mercury of the 1st inst says—

"We learn that $35,000 was offered and refused on Wednesday last for old *Bertrand*. This sum is exactly ten times as much as was given for him by his present owner, Mr. Lindsey, of Kentucky, who bought him from col. Spann, the day after his great race with *Aratus* and *Creeping Kate*."

["Taxed" "forty bales of the hundred," and yet able to pay thirty-five thousand dollars for a horse!]

We see further—that "the friends of Julia, by Bertrand, dam Transport," &c. have challenged a race against her—for ten thousand dollars, not excepting any horse in the United States.

The tariff—in Mississippi! We have been favored with a copy of some interesting papers concerning a proposed extension of the charter of the bank of the state of Mississippi, which are laid aside for insertion at full length, for several reasons—but especially to shew the awfulness of the poverty and suffering with which the people of that state have been afflicted because of the tariff—which takes from them "forty bales of cotton out of every hundred" produced by them, to pamper the pride, and glut the avarice of the nabob manufacturers and monopolists of the north, as the following sentences from the report of the committee of the bank will conclusively shew:

"For several years past the inhabitants of this state have been *prosperous beyond example*, capital judiciously invested and properly managed has yielded at least *ten per cent.* and in many instances the rate of profit has been *doubled*—as a consequence, capital has been eagerly sought after," &c.

"*In the middle and northern states, money does not command more than one-half the profit which it readily yields here.*"

And that capital may abound, it is proposed that the discount on notes having more than four months to run, shall be eight per cent. but if over a year, nine per cent. because it is believed *that such loans would be advantageous to the planting interest*. And it is stated that five millions of additional banking capital will be needed, immediately after the withdrawal of the office of the bank of the United States—if not before; to discount notes at nine per centum!

We believe that many millions are borrowed in Louisiana at ten per cent. and not a small amount in Alabama at 15, or more. The great wonder is, that, after the planters are "plundered of forty bales of cotton out of every hundred" which they grow, and are compelled to pay six and a quarter cents a yard for shirtings for their negroes—that they are able to return *ten per cent.* for money invested in cotton lands, and slaves to work them!

The fact we believe is—that all well-managed estates in Mississippi, Louisiana and Alabama, one year with another, yield more than *twenty per cent.* clear profit, on the capital invested in them.

The past and the present. The New York Commercial Advertiser, severely censuring the supplemental report of the minority of the committee of the house of representatives on the subject of the U. S. bank, says—

The truth is, beyond a doubt, that no western debts were ever more sound and available, than those at this moment due to the U. S. bank; and never were the means of the west so ample, or its resources so flourishing. To sustain this remark, a gentleman from Cincinnati has furnished us with the following schedule of prices there in the year 1819, and the year 1833. In 1819 the currency was at a discount from specie of thirty per cent. At that time barges were from three to four months coming up from New Orleans, and freight was five cents a pound. Now the steam boats come up in eight or ten days, and freight is three-fourths of a cent a pound. If the west had any resources of a pecuniary nature in 1819, those resources must be immensely greater now.

*Prices at Cincinnati in the years 1819 and 1833.*

| | | | 1819 | 1833 |
|---|---|---|---|---|
| *Imports.*— | Mackerel, No. 1. | brl. | $10 .. | $8½ |
| | Curriers' Oil | do. | 60 | 18 |
| | Rosin, | do. | 16 | 2½ |
| | Coffee, | lb. | 31 cts. | 14 cts. |
| | Loaf Sugar, | lb. | 33 | 14 |
| | N. O. Sugar, | lb. | 47 | 7½ |
| *Exports.*— | Flour, | brl. | $1¼ | $4½ |
| | Corn, | bus. | 10 a 12 cts. | 30 cts. |
| | Pork, | lb. | 1¼ | 3 |
| | Whiskey, | gal. | 14 | 26 |

☞The high prices in 1819 were in the then distracted currency of the west—and the low prices of other articles in the want of a demand for them. The difference in freights, and the support of the bank, could not have brought about such important changes. Other causes were also in operation. A market for the products of the west has been opened in the east, or more nearly at home, by wholesome divisions of labor, and brisk circulations of values—at every change in their character adding to the common wealth, and promoting the "general welfare.

Banks, &c. By a statement in the Philadelphia Commercial Herald, it appears that the chartered capital of banks in that city, 16 in number, amounts to $26,600,000—the sum paid in, is $18,935,000. The insurance companies, 14 in number, have a capital of $5,080,000.

There is a bank in good, and, no doubt, well-deserved credit, in one of the villages of N. York, which, on a *capital* of $90,000, has a *circulation* of 264,000 dollars; and the notes and other sureties discounted amount to the great sum of $358,000.

An act has been passed by the legislature of the territory of Florida, incorporating a bank, to be called "the Union bank of Florida," with a capital of one million of dollars, to be founded upon real estate, to be represented by bonds, &c. on the faith of which the capital of the bank is to be borrowed.

We received the other day, a bill of the *Win ni pis si o gee* bank, and wish that we had a good many of them. The issue is at Meredith, New Hampshire.

"Something new" has lately appeared in the shape of a bank note. We have one of the notes described below, and consider it not only a "splendid specimen of engraving," but because of the "labor bestowed on the plate," are led to believe that the counterfeit of it will hardly ever be attempted.

"The Western bank of Philadelphia" has issued bills of five and ten dollars denomination, in the *German* language. The bills are splendid specimens of engraving. Some idea of the labor bestowed on the plate, may be gathered from a description of one of the bills, as we find it in the Pennsylvanian. They are from the workshop of Topham & Co.

"The vignette on the fives is an exquisite representation of that cruel yet heroic tragedy in the history of Switzerland: Tell shooting the apple on the head of his child, by order of the tyrannic Gesler. The hero of Switzerland is seen standing against the trunk of a huge 'father of the forest,' bonneted; his strong bow uplifted in his left hand, his right drawn back, he leaning forward watching with intense anxiety the flight of his true arrow, which is then seen piercing the apple in its centre. In his belt hangs another arrow, with which he intended to penetrate the heart of the unfeeling tyrant, had the first injured his child. Gesler sits horsed, his bonnet up, in front of a file of soldiers; looking in cold blood, upon the boy, who stands, a little hero, fastened to the stake. The back ground presents to the eye the rugged mountains of romantic Switzerland, towering to the skies. On either side of this beautiful and interesting scenery, is placed a minor vignette, representing the rich german vallies of Pennsylvania, and the drover driving his fat cattle to the 'great emporium.'

Mr. Madison. The father of the constitution completed his eighty-third year on the 5th instant.

The late mission for Russia. The appropriation bill just passed has an item of $7,200, paid to the young gentleman, John Randolph Clay, as out fit and salary, &c. as charge d'affaires at St. Petersburg.

Regiment of dragoons. Adjutant-general Jones, by order of major general Macomb, announces the following officers appointed to command the regiment of dragoons authorised by an act of congress approved on the 2nd inst. All the officers had belonged to the old regiments of infantry, except col. Dodge, promoted from major of rangers.

Colonel Henry Dodge; lieut. col. Steph. W. Kearny; major Richard B. Mason; captains Wharton, Sumner, Holmes, Hunter; 1st lieutenants Seawell, Perkins, Cooke, Van Buren; 2nd lieutenants Izard, Davis, Sword and Ritner.

The next congress. New Hampshire 5, Vermont 5, New York 40, New Jersey 6, Pennsylvania 28, Delaware 1, Georgia 9, Ohio 19, Illinois 3, Mississippi 3, Louisiana 3, and Missouri 1, have elected their representatives to the 23d congress, to the number of 122

The following states have yet to elect their representatives—Maine 8, Massachusetts 12, Connecticut 6, Rhode Island 2, Maryland 8, Virginia 21, North Carolina 13, South Carolina 9, Alabama 5, Tennessee 13, Kentucky 13, Indiana 7, Missouri (one extra) 118

240

Rhode Island. The legislature of this state has passed an act prohibiting the administration of extra-judicial oaths.

Holt's hotel, New York. We are informed by a correspondent who yesterday visited this immense establishment, that the enterprising proprietor is likely to realize his most sanguine expectations in the success of his house. It has been opened scarcely a month, and he now dines over two hundred gentle-

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men at his ordinary, and at least two thousand in the various rooms, daily. His beds, amounting to near 250, have been several times completely filled. To supply his table, he purchases, besides large quantities of cut beef, a fat bullock every morning, with other meats, poultry, fish, &c. in proportion. He roasts 700 lbs. of provision at a time, the spit being turned by a steam engine. Our correspondent wishes that those who have not yet paid Mr. Holt a visit, would call and view for themselves one of the most extraordinary hotels in the world. The order, regularity and quiet, preserved there, together with the kind attention of the domestics, are worthy all praise. [*N. Y. Gaz.*

TURKISH BARLEY. The New York Daily Advertiser notices the arrival at that port of nine thousand bushels of barley from Constantinople, and remarks—

This, we believe, is the first parcel that has ever arrived here; the quality appears to be good, in a sound state, plump and bright. We are told it will pay the shipper at the very low price barley is selling at here. It would be a most extraordinary fact, if the opening of commercial trade with the sublime porte, should be the cause of introducing into this country barley and wheat, which are raised in abundance in that country. Up to the present period, grain, flour, &c. have been among the most important articles of export from this country.

COTTON MANUFACTURE. The amazing cotton manufacture continues to increase. The reduction of the profits has sharpened the wits of the manufacturers; and men, women and children, as well as machines, throw off an increased quantity of work. We perceive, from the evidence on the factory bill, that the weekly quantity now spun by one spindle is 21 hanks of No. 40 in a week.* The cotton spun in Great Britain last year amounted to about 288,000,000 lbs. Of this vast quantity a tenth was spun in Scotland. The United States supply three-fourths of the consumption, or 213,000,000 lbs., the East Indies about 20,000,000 lbs., the West Indies 1,600,000 lbs. only. All the cotton, except the growth of the East and West Indies, pays a duty of 5 8d per lb. This duty would last year exceed £690,000, and would be as nearly as possible ten per cent. on the return of the cotton in bond.

[The preceding is from *Bell's* [*London*] *Weekly Messenger*, of Jan. 13. The cotton spun in the United States in 1832, was about 85,000,000 lbs.; and, after *England*, the best market which the southern states has for cotton is in the northern states. And the manufacturers in the latter, coming *first* into market, and demanding the better qualities, fix the price of each crop considerably higher than English agents will give in the first instance.]

LOTTERIES. In a special message from governor Lincoln to the Massachusetts legislature, on the subject of lotteries, occurs the following remarkable passage:

"In a recent exposition made under the most respectable authority, of a similar traffic in a city of a sister state, it is stated to have been ascertained that an officer of a banking institution, who had been detected in abstracting from the bank divers sums of money, "was found to be in possession, in tickets and parts of tickets in various lotteries, of *two thousand three hundred and twenty-seven* chances, which, after having been all drawn and examined by order of the bank, produced *less than twenty dollars*. Another case of bankruptcy is given, whose accounts exhibited an aggregate of $8,000, drawn by him in lotteries at different periods, while his expenditure for tickets amounted to the sum of $120,000, and he was then insolvent $70,000."

On the same subject, the "Boston Transcript" says—Mr. Buckingham, from the special committee appointed to consider whether any alterations are expedient in the laws for the suppression of lottery tickets, &c. submitted a report accompanied by a bill. The report is very elaborate, and enters into the whole subject in detail. The bill provides that no person shall make, sell, or offer for sale, &c. &c. any lottery ticket, under penalty of not less than $100 nor more than $2,000—on a second conviction, in addition to the aforesaid penalty, the convicted to be sentenced to confinement in the house of correction for a term of time not less than three months nor more than twelve months—on a third conviction, not less than six nor more than eighteen months. Advertising lottery tickets, &c. &c. punishable by a fine of not less than $30 nor more than $100—selling tickets in *fictitious* lotteries, punishable by imprisonment for a term of time not less than one year nor more than three. Persons prosecuting to conviction entitled to a reward of $50. Any one permitting the sale of any lottery ticket, or the managing or drawing of any lottery, in any house, store or other building, owned, rented or occupied by him, to be punished by a fine not less than $100 nor more than $2,000.

☞New York and Pennsylvania have passed laws which will speedily, and efficiently prevent the sale of lottery tickets in those states.

UNIFORM CURRENCY! The following prices of bank bills is extracted from a Philadelphia Price Current of the 22d Feb. North Carolina State bank and branches 2½ to 3 per cent. discount; Cape Fear, do. Newbern, do. State bank and branches, 6 to 8; Savannah banks, do. Augusta, do. Darien and branches, 8 to 10; Central and Millegeville, do. Columbus, do. Ohio banks, 1½ to 3; Kentucky bank and branches, 20; Commonwealth, 25; Tennessee, State bank and branches, 4 to 5; Alabama, State bank, 8 to 10; Mobile, 5 to 7; Mississippi, State bank, 5 to 6; Louisiana, New Orleans, 4 to 5; Florida, Tallahasse, 10 to 20; Indiana, Illinois and Missouri, no sale. [*Pen. Ad.*

O'CONNELL. A late English paper says—Gratitude for services rendered does not seem wanting on the part of the Irish people towards the agitator Daniel O'Connell. So entire is their confidence in the wisdom and patriotism of the family, that not only the great repealer himself, but three of his sons—his brother-in-law, Mr. Finn—his nephew—his cousin—and Mr. Fitzsimmons, his son in law, have all been returned to parliament from different parts of Ireland. Including himself, says an Irish paper, "there will be nine of the clan O'Connell altogether, which with old Judy and *her* cub, and a straggling devil or two, whose existence depends on the breath of his nostrils, will make at least a sergeant's guard, and goodly show on the benches. Where they will all get victuals and drink, heaven knows. The sooner the begging box is put into requisition the better; people, and people's wives and their children, cannot live on the odoriferous perfumes of the cook's shop in London. As to qualification, we dare say they are all qualified, though no one else, we imagine durst say so. But we are bold men."

SUPPLEMENT TO THE LAST VOLUME. It has already been mentioned that we had in the press a supplement for the volume of the REGISTER just closed, to contain 13 or 14 sheets, or as much reading matter as is generally given in an octavo volume of more than *six hundred pages*, at the extra charge of *one dollar:* and desired gentlemen, who wish to have copies of this supplement, to make their wishes known, that they may be supplied, &c. And it is proper, and perhaps, necessary—that such intimations of the wishes of *subscribers* should be promptly given, before the surplus copies are disposed of in *general sales*—for many who are not subscribers will desire to obtain this large collection of important papers and speeches, on such moderate terms.

This supplement will contain—

1. The Virginia resolutions of 1798, concerning the alien and sedition laws.
2. An extract from the address to the people which accompanied those resolutions.
3. Answers of the states of Delaware, Massachusetts, New York, Connecticut, New Hampshire and Vermont, to the Virginia resolutions.
4. The Kentucky resolutions of 1798 and of 1799.
5. Mr. Madison's elaborate report on the Virginia resolutions, made to the house of delegates in the session of 1799-1800.
6. A letter from Thomas Jefferson Randolph, with a copy of the original draft of the Kentucky resolutions, which remains among the papers of his grandfather, and in his own hand writing.
7. Proceedings in the legislature of Pennsylvania, (1809), in the cause of George Olmstead.
8. Mr. Madison's letter to Mr. E. Everett, on nullification, state rights and federal powers—August 1830.
9. From the same to Mr. C. J. Ingersoll, of June 1831, on the same subject.
10. From the same to Mr. A. Stevenson, on the terms "common defence and general welfare," used in the constitution.
11. From the same to E. Livingston, on his [Mr. L's] interpretation of the Virginia proceedings of 1798-99—dated May, 1830; with an extract from Mr. Livingston's speech, referred to by Mr. Madison.
12. From the same to gov. Snyder, of Pennsylvania, (1809), on the Olmstead case.
13. Two letters from the same to Mr. Cabell, (1828), on the constitutional power of congress to impose a tariff for the encouragement of manufactures.
14. Extract from Mr. Jefferson's report as secretary of state, (1793), on "commercial restrictions"—and the right to "burthen," or exclude, foreign productions which come into competition with our own.
15. Mr. Jefferson's letter to Mr. Leiper, (1809), in favor of encouraging domestic manufactures.
16. Letter from Mr. Benjamin Austin, (1815), to Mr. Jefferson, and the reply of the latter, on the right and necessity "of placing the manufacturer by the side of the agriculturist," &c.
17. Extract from the circular of general George Washington, dated Newburg, 1783.
18. The proclamations of president Washington, (1794), concerning combinations to defeat the execution of the laws in certain parts of Pennsylvania.
19. Speech of president Washington to both houses of congress November 1794, chiefly concerning the disturbances in Pennsylvania.
20. Extract from the address of governor Mifflin, of Pennsylvania, to the legislature of the state, on the same subject.
21. A charge delivered by A. Addison, president of the court, to the grand jury of Alleghany county, Pennsylvania, September 1794.
22. The ratifications of the constitution of the United States by the people of Delaware, Pennsylvania, New Jersey, Connecticut, Massachusetts, Georgia, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, Rhode Island—and Vermont, in their several conventions.

*Many of the American mills work at the same high speed. ED. REG.

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23. Bill reported by the committee on the judiciary in the senate of the United States, January 21, 1833, further to provide for the collection of duties on imports.

24 Report and bill of the same committee in the house of representatives, on the same subject—February 8, 1833.

25. The *entire debate* in senate, (and chiefly from the corrected speeches of the members), on the bill of the judiciary committee, so far as published, beginning with the opening speech of Mr. *Wilkins*, and ending with that of Mr. *Ewing*, with which the debate was concluded.

26. The resolutions offered by Messrs. Calhoun, Grundy and Clayton, and the debates thereon.

27. The speeches delivered in the house of representatives on similar questions, and previous to the passage of the bill from the senate.

28. To which will probably be added, an appendix—containing additional papers of "authority," as to the doctrine of state rights, nullification, secession, &c.

If after inserting the articles abovementioned or alluded to, any room shall remain—we have a superabundance of useful matter wherewith to overflow it.

We again beg leave to state, that the title page and table of contents for the last volume, will not issue until this supplement is completed—that the items of the latter may have their proper place in the index of the former, for more easy and certain reference to important subjects: and to repeat, that, though pecuniary profit has not induced us to encounter this additional labor,—we have no sort of willingness to lose money by it; and that copies of the collection will be offered for general sale* if the edition shall not be taken up by the subscribers for the REGISTER, early in the ensuing month.

## CASE OF TOBIAS WATKINS.

*From the National Intelligencer of March 13.*

*Ex-parte, Tobias Watkins.* We stated, some days ago, that it was the intention of the counsel of doctor Watkins to institute further proceedings in the case. Since then, we understand that Messrs. *Brent* and *Coxe* have failed in application to the supreme court to obtain its opinion as to the *points* upon which the court was divided, and that they were informed the court refused to give its opinion because the division was of such a nature as would require the judges to give separate opinions. This novel state of the case leaves not only the counsel of doctor Watkins, but the public, in darkness, as to the opinion and division of the court, upon the *various points* made in this important case. We also have understood, that the counsel have abandoned the intention of moving the court to reinstate the rule, for the purpose of arguing *the effect of a division in the court*, upon an application to be discharged on a writ of *habeas corpus*, it having been intimated, that the practice of the supreme court was always, in both civil and criminal cases, to refuse a rule where the court was divided. The opinion of Messrs. Brent and Coxe was, we understand, that where the court was divided upon an application for a rule like that in Watkins' case, the decision in England and the practice of the common law, entitled the party to his release, in being in *favor of liberty. A fortiori*, they agree, such practice ought to exist in this country and under our form of government. We are, however, authorised to state, that an application is about being made to the circuit court of the United States for this district, for the discharge of Dr. Watkins from his second alleged illegal imprisonment, and as that court is supposed to have, beyond any doubt, jurisdiction of the case, and can control its own writs if illegally issued, the counsel feel confident of success. We forbear, for the present, any further comment on the case.

## FOREIGN ARTICLES.

*Greece.* By the brig Angola, at New York, intelligence is received that the divison of Bavarian troops, destined for Greece to support the throne of king Otho, arrived at Trieste, December 20th, (the day the Angola left), and were to embark in two days for Pirano, where the convoy was to assemble. On the 21st the second division was expected to arrive; on the 24th, the third; 26th, the fourth; 28th, the fifth and last; amounting in all to about 4,000 men. The troops which arrived on the 20th, elicited the general admiration of the people at Trieste. The Greek committee had also arrived. Admiral Miaulis expressed himself very much pleased with the young sovereign, from whom he had received marks of distinction.

*The Faulkland Islands.* It is stated that a British vessel of war had proceeded to these islands to take possession of them "in the name of his Britannic majesty."

*A quaker* named Pease has been returned to parliament from South Durham, but he has misgivings, it would seem, from the annexed paragraph, about taking the oaths

A member of the Society of Friends, by name Joseph Pease, has been placed at the head of the poll and returned for the southern division of the county of Durham. He is a man of considerable wealth and of great influence in that part of the county, as this election proves—there being in Southern Durham a vast number of persons who wear the same garb, and profess the same doctrines, as their honorable representative.

Mr. Joseph Pease, however, has some apprehensions as to his reception in the house of commons. He may not court, but he obviously anticipates martyrdom. He told the electors that "he was well aware that he must go through *much persecution in their cause*, and that he should not be surprised if the sergeant-at-arms be ordered to take him into custody."

These fears take their rise in Mr. Joseph Pease's honest and conscientious repugnance to take the necessary oaths. He declares that he cannot take an oath—that the taking of oaths is unlawful—and that he is resolved to contest their expediency with the speaker, at the hazard of being removed from the house by the sergeant at arms.

On the preceding election the Leeds Mercury says—We have this week the pleasure to see the first frank ever written upon a letter by a member of the Society of Friends in this country—we say the pleasure, for this, amongst hundreds of other instances by which we are surrounded, is an indication of the progress of that enlightened policy which has enabled our fellow subjects to exercise the functions of legislators without regard to sect or party.

*Royal matters.* The princess Victoria, daughter of the duke of Kent, aged 14, is now the presumptive heir to the British throne.

The duke of Cumberland comes next, and then his son, prince George, who is also 14 years of age. The duke does not bear a good character. The celebrated affair in which he made a figure, occasioned by the singular death of his valet, has affected the whole public mind unfavorably towards him. It is stated that the mother of the princess Victoria avoids him as she would a pestilence, and that she never suffers her daughter to come within the sphere of his observation or influence.

*Central America.* The people of this war vexed country seem now to have peace among themselves; but are on bad terms with Mexico.

*Buenos Ayres.* We hear of no late battles in the provinces. The resignation of governor Rosas had been at length accepted, and gen. Juan Ramon Balcarce was elected (by the house of representatives) in his stead.

The apostolic vicar of Buenos Ayres, at the request of the government, has issued a decree reducing the number of holydays to *ten*, besides Sunday. All the half holidays are suppressed with the exception of that of San Jose. In an accompanying note by the minister of the home department, it is stated "that, including Sundays and other holidays, rainy days and contingencies of the weather, which render it impossible to work on the river La Plata there are now (i. e. before the reduction took place), more than 150 days in the year entirely lost as it regards labor!"

*Colombia.*—Divided into three parts, has present peace. The parts are the republics of Venezuela, New Granada, and Escuador—the latter being acknowledged, by the decree of gen. Santander: but differences, and further sheddings of blood are feared from the *generals*, who have some degree of command, and wish for greater power.

*Nullification in Mexico.*—The mania of nullification appears to have seized upon our *patriotic* neighbors of Mexico. The Texas Advocate says—"The federal constitution is dissolved, and we are now without a constitution. Many of the states have refused to vote for a president, for senators or for representatives." By this nullifying proceeding on the part of the states, the government of the country is thrown into confusion.

## FOREIGN NEWS.

By an arrival at New York, London papers of the evening of the 19th Jan. have been received.

The king of Holland has opened the Scheldt to the flags of all nations—those of Great Britain, France and Belgium excepted.

The British commissioner or envoy in Portugal, lord Hervey, is negotiating for the peace of the country—by the retirement of Miguel from the kingdom, and the installation of Pedro's daughter as queen, with a regency.

Ireland was more and more disturbed—the most horrible outrages were frequently committed. Lord Anglesea was speedily to leave the viceroyalty.

Parliament was to meet on the 29th January, to elect a speaker—but would not commence business for a week after.

Mount Vesuvius was in a violent commotion. Continued explosions were heard in Naples.

A large reduction of the French army is expected—100,000 infantry, and 26,000 cavalry.

The king of Spain has associated his wife with him in the government of the kingdom—which was in a state of tranquillity.

There is a report that Ibrahim Pacha had made a retrograde movement—and a general battle with him was expected. The grand vizier was at the head of 60,000 men.

U. S. bank stock, at London, 17th Jan.—£22 a 22 10.

## DISCOVERY OF MINES IN CHILI.

The *Araucano*, an official journal, contains in the No. of the 9th June, 1832, the following document:—

"The intendancy of Coquimbo Serana, 7th June, 1832, to the minister of the interior:—A wonderful discovery of silver ore has been made in the mountain chain of Topiapo, called Chanercilla and Mole. It is affirmed that the veins are immense. Since the 22d of May, sixteen, more or less rich, have been discovered; and travellers who have been upon the spot make the number even fifty. The ore is of the purest quality, and experienced miners entertain not the smallest doubt of the richness of this discovery."

(Signed) "JOSE MARIA POONAVENTE."

*At one dollar for the supplement, in sheets—or 112½ cents if neatly done up in boards.

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The same paper contains the following article, dated Coquimbo, June, 1832.

"We have before us several letters from the most respectable persons of the province, who unanimously confirm the wonderful discovery which we have mentioned in a preceding number. The mine lies at the south of Topiapo; it extends about fifteen feet in length, and ten in breadth; it touches the following places—Chanercilla, Ritacus Pan de Azerear, Pagonales and Mole. Chance led to the discovery by a wood cutter, who communicated his good fortune to one Godoi and Don Miguel Gallo; they resolved to keep the secret to themselves; but certain signs and traces, which they could not conceal, soon made the matter public. Four days after this, sixteen veins were already discovered—on the eighth day there were forty; and when the post left, fifty—not to mention the number of smaller veins, of which no notice was taken for the moment. A mass of ore which was purchased by an Englishman for two hundred piasters, proved to be worth a thousand. Besides the prodigious quantity of the ore, it is extremely rich in quality. The intendant has sent to the minister of the interior specimens from three different veins, the analysis of which proves what is here stated; and, as if it were not enough to give that district a name by a single event of this kind, a discovery has been made of rich gold mines in the adjacent canton of Jancos; that hitherto uninhabited and desert mountain region, is, at this moment, animated by the presence of above 3,000 people."

There is no doubt that these important discoveries will have a great influence on the future political and commercial situation of the country. In one respect they have already been injurious—for the copper mines are abandoned by the workmen.

### MR. SOUTHARD'S LETTER.

*Trenton, February 25, 1833.*

*His excellency, Samuel L. Southard:*

SIR—The undersigned, as a committee of the last joint meeting, have the honor of informing you, that you were appointed by that body, senator in congress of the United States for six years from the fourth day of March next, and of respectfully requesting your acceptance of the same,

With great respect, yours, &c.

ELIAS P. SEELEY, } *committee, &c.*
JOHN P. JACKSON, }

*To the honorable Elias P. Seeley, vice president of the legislative council—and the hon. John P. Jackson, speaker of the general assembly.*

SIRS—I have been honored by your communication, by which I am informed that the joint meeting have conferred upon me, the office of senator in the congress of the United States, for six years from the fourth day of March next.

I beg you, sirs, to convey to the members of the joint meeting, my acceptance of the appointment—and the expression of my grateful sense of the confidence manifested towards me. It is the more deeply felt, because the duties and the responsibilities of the station are greatly enhanced by the present condition of our country—and because it is bestowed after a long period of public service, during which my conduct and opinions have been known to my fellow citizens—and after a recent expression of many of those opinions, in the discharge of the duties of my present office. I cannot but rejoice that my election gives me an assurance that those opinions have not been misunderstood, nor disapproved by the members of the joint meeting, however they have been misrepresented by some others.

In acting upon my own strong convictions in regard to constitutional questions and the policy of the country, I feel, that I shall but follow the wishes, and aid in protecting the interests of my fellow citizens. I believe with them, that the nullification of the laws of the union, by the authorities or people of a single state, is a heresy most dangerous to our institutions; and must be discountenanced and repressed; and the government amply and vigorously sustained, in the enforcement of the laws—that the power and the right of congress to protect the industry, of the country, clearly exist, and that their exercise cannot be surrendered without an obvious neglect of duty—that a sound and convenient currency is indispensable to the common prosperity, and that it is not wise to destroy the means and instruments by which it has, heretofore, been secured to us—that the public lands are public property which ought neither to be given away, nor squandered upon objects which are not connected with the common interests of the whole—that the independence of the judiciary, is interwoven with the best portions of our institutions, and its defence while in the exercise of its legitimate authority, is the high duty of every public agent. While endeavoring, in my humble measure, to sustain these and other important principles, I shall rely on the generous confidence of my fellow citizens—and feel great consolation that in the discharge of my duties, I am associated with a colleague in whose known opinions I so generally concur, and on whose purity, intelligence, and faithfulness we all have entire reliance.

I am, very respectfully yours, &c. &c.

SAMUEL L. SOUTHARD.

*Trenton, Feb. 26, 1833.*

### MR. VAN BUREN AT PHILADELPHIA.

*Philadelphia, Feb. 25, 1833.*

SIR:—Entertaining the same sentiments of respect for your talents and patriotism as a statesman and republican, as the great body of the people of the United States, by whose sufferages you have recently been elevated to the second office of the republic, the undersigned, on behalf of their fellow citizens, embrace this opportunity of your presence in the second city of the union, of inviting you to partake of a public dinner, in which they, in common with many of their political friends, would gladly join.

The situation of the country is so peculiar at this moment, that public men, whose sentiments are known to be in favor of moderate but firm measures to meet the present crisis, deserve and ought to receive the countenance of those who have only at heart the good of their country. The democracy of Pennsylvania, have from the commencement of the government, always shown themselves firm for those principles and measures which will preserve the union, as well as the rights of the states, the prosperity of the country, and the advancement of civil liberty. In this sentiment, they unite with their brethren throughout the country, by whose suffrages you have been called to give your aid and support to the measures of the present chief now at the head of the government.

Believing that the confidence of the country has not been misplaced, in elevating you to the high office, the duties of which you will shortly assume, and that the wise measures of the president will always receive your firm support, they beg to assure you of their esteem for your character as a statesman, and respect for your private worth as a citizen.

With sentiments of high consideration, we have the honor to be your friends and fellow citizens,

*Robert Patterson, Samuel Badger, James Page, Joseph Worrell, William Stewart, Thomas Cave, Robert B. Dodson, Wm. J. Leiper, Christain Kneass, Frederick Stoever, Jno. M. Barclay, C. Hickman, T. W. L. Freeman.*

Hon. *Martin Van Buren.*

*Philadelphia, Feb. 25, 1833.*

GENTLEMEN:—My stay in Philadelphia will be too short to enable me to comply with your polite request. But I am not therefore, I assure you, the less sensible of your courtesy and kindness. There is no portion of my fellow citizens whose good opinion I value more highly than that of those you represent, and I shall ever cherish with the most grateful feelings, the flattering and affectionate expression contained in the communication with which you have honored me.

I concur freely in the views you express in regard to the necessity and proriety of moderate but firm measures to meet the present crisis in our public affairs. The inflexible support which has been given by the democracy of Pennsylvania to those principles and measures which will best preserve the union as well as the rights of the states, promote the prosperity of the country, and advance the cause of civil liberty, will be attested by all who are in any degree conversant with our public history. It is by this patriotic and honorable course of her citizens, that Pennsylvania has acquired so large a share of the respect and confidence of the nation.

The present condition of our country is, as you justly observe, a peculiar one; yet I cannot but think that the dangers which menaced our institutions, are already quietly, lessened, and bid fair to be speedily and happily removed: it is to me most obvious that the difficulties attending a satisfactory adjustment of the tariff, are now reduced to questions of time merely. The repeated and earnest recommendations of the president to congress in favor of a reduction of duties to the revenue standard, by means of a law, which shall be certain in its ultimate effect, but yet so gradual in its operation, as to give the greatest extent of protection to existing establishments, that shall be found consistent with the paramount obligation to relieve the people from all burthens which are not necessary to the support of government—recommendations, on the propriety of which he so distinctly placed himself before the American people at the late presidential canvass, and in which he was so triumphantly sustained by a vast majority of them—seem to be now unembarrassed by any opposition, and to have become the favorite and universal sentiment. These important points established, there can surely be nothing in the residue of the subject, nor in the details of a bill, by which they are to be carried into effect, that, if acted upon, in a proper spirit, may not be overcome without threatening the public peace, or endangering the stability of our union. Any measure which shall successfully accomplish the objects proposed, and which shall be of a character to recommend itself to the moderate men on both sides of the question (the only securities we can have for its permanency) will, without doubt, receive the approbation of the people and restore the different sections of the country to those relations of peace, affection and good fellowship, which are so indispensable to the prosperity and happiness of each and all. That these great objects shall not fail for the want of such an arrangement, is so emphatically demanded by public sentiment as to allay all apprehension: should the present congress, unfortunately, be unable to effect it, we may count with confidence upon the speedy and successful efforts of the next. Until this desirable result shall be attained, we have a safe guaranty against violence and discords in the discreet exercise of executive authority, the pervading patriotism of our countrymen, and that sacred inextinguishable love of union which is so predominantly and master-feeling in an American bosom.

You do me but justice in expecting a sincere support on my part, of the administration of our worthy and venerable chief magistrate. I regard that as the most useful and honora-

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ble portion of my public life, which was spent under his immediate direction, and cannot fail to appreciate, as I ought, the honor of being permitted to co-operate in the advancement of the public interest, with one in whose capacity and patriotism, my confidence is unqualified.

Be pleased to make my sincere acknowledgments to those you represent, for this mark of their respect, and to accept for yourselves individually, the assurances of my sincere regard.

M. VAN BUREN.

To Messrs. *R. Patterson, Samuel Badger, James Page, Thomas Cave, Joseph Worrell, Wm. J. Leiper, Christian Kneass, Frederick Stoever, John M. Barclay, Wm. Stewart, C. Hickman, T. W. L. Freeman*, and *Robert B. Dodson.*

## OHIO CANAL REPORT.

The eleventh annual report of the canal commissioners states that the works committed to their charge are completed, with the exception of the lower lock at Portsmouth; and those at Cincinnati, for connecting the canals with the Ohio river; that the materials for these are collecting, and that the work will be prosecuted as soon as the state of the water in the Ohio river will permit.

During the year ending Dec. 31, 1832, the gross amount collected for tolls and water rents were,

| | |
|---|---|
| On the Ohio canal, | $82,867 40 |
| " Miami canal, | 40,928 81 |
| Making a gross sum collected on both canals, of | $123,794 21 |

It is estimated that the prevalence of the cholera at New York and Cincinnati produced a reduction in the revenue of the canals, of $20,000; but notwithstanding this and other causes of fluctuations in trade, they express the confident belief that the revenue from them will continue to increase, as the resources of the country are developed, and that their predicted benefits to the state are confirmed by past experience.

*Payments during the year, and total cost.*—The total amounts of payments on contracts, and to superintendents of repairs, for the year ending on the 10th of Nov. 1832, is,

| | | |
|---|---|---|
| On the Ohio canal, | | $310,404 58 |
| " Miami canal, | | 52,085 95 |
| Total disbursements for work on the canals, | | $362,490 53 |
| Wages, subsistence, and incidental expenses of engineers and acting commissioners, | $18,178 58 | |
| Other canal commissioners and clerk, | 667 68 | |
| Damages awarded, | 3,988 80 | |
| For real estate to accommodate water power, | 3`0 00 | |
| | | 23,135 06 |
| Total disbursements for the year ending 30th Nov. 1832, | | 385,625 59 |
| To which add amount paid up to Nov. 1831, as per last year's report, | | 4,778,099 65 |
| Making a total cost of the canals, &c. up to Dec. 1, 1832, | | $5,163,725 24 |

The aggregate length of the canals is 400 miles, comprising 184 lift locks, overcoming a total amount of ascent and descent of 1,547 feet; 9 guard locks; 22 aqueducts; 242 culverts, 182 of stone and 60 of wood; 9 dams for crossing streams; and 12 feeder dams. Both canals have a minimum breadth of 40 feet at the water line, 26 feet at bottom and 4 feet deep. The locks are of stone, 15 feet broad, 90 feet in length between the gates, admitting boats 78 by 14 feet 10 inches.

## COMMERCE OF BOSTON.

We copy the following very interesting article from the "Boston Courier," to shew the immense importance of the late much abused, and now diseased, or deceased, "American System." Look at some of the items—60,011 bales of cotton—386,809 barrels of flour, of which 127,233 were from the Hudson, 141,181 from the Chesapeake, 17,365 from the Delaware, &c.—1,207,676 bushels of corn, 47,660 rye, 178,771 oats, &c. chiefly from the Chesapeake—and 22,954 hhds. (domestic) molasses; and these, or nearly all these, for the *home consumption*. The progress of such importations is beautiful, as stated for the three last years.

| | | 1830. | 1831. | 1832. |
|---|---|---|---|---|
| Cotton | *bales* | 46,203 | 53,810 | 60,011 |
| Flour | *barrels* | 309,997 | 286,482 | 386,809 |
| Corn | *bushels* | ——— | 681,131 | 1,207,676 |

☞Increase in two years—bales of cotton 14,808; barrels of flour 76,912; bushels of corn, (one year) 526,545.

—

*To the editor of the Courier:* I send you a statement, in detail, of the commerce of Boston, for 1832. Compared with previous years, it presents a large and truly gratifying increase in our trade, which must be cheering to every one. It appears after all, our factories have not quite ruined our commerce. S.

*Foreign arrivals*—American 842, English 211, French 3, Sicilian 3, Spanish 2, Dutch 1, Danish 1, Swedish 1—Total 1,064. Ships and barques 165, brigs 536, schooners 360, sloops 2, galliot 1.

*Coastwise*—Ships 62, brigs 514, schooners 2,332, sloops 628, steam boats 2—Total 3,538.

It should be observed that a large number of vessels arrive coastwise, whose cargoes are not usually reported, and a great portion of these are from the state of Maine. The number of this class of vessels, such as wood coasters, fishing vessels, &c. amount probably to two or three thousand annually. The list of coasters above named, and the tables of imports which follow, were taken from City Hall books.

*Import of Cotton*, 1832—From New Orleans 25,693, Charleston 15,470, Savannah 9,916, Mobile 7,213, New York 679, North Carolina 467, Virginia 279, Gloucester 180, Florida 58, other ports 56—Total 60,011 bales.

| | *Barrels.* | *Barrels.* |
|---|---|---|
| *Of flour*—From New York | 105,918 | |
| Albany and Troy | 21,003 | |
| Other New York ports | 312 | |
| | ——— | 127,233 |
| Baltimore | | 97,038 |
| Fredericksburg | 54,845 | |
| Richmond | 33,681 | |
| Norfolk | 7,349 | |
| Petersburg | 2,200 | |
| | ——— | 98,075 |
| Alexandria | 42,306 | |
| Georgetown | 800 | |
| | ——— | 43,106 |
| Philadelphia | | 16,174 |
| New Orleans | | 1,473 |
| Ports in Delaware | | 1,261 |
| Connecticut | | 584 |
| Massachusetts | | 623 |
| New Hampshire | | 1,242 |
| Total barrels | | 386,809 |

*Molasses*—Foreign 37,480, coastwise 22,954—Total 60,434 hhds.

| *Import of* | *Corn.* | *Rye.* | *Oats.* | *Shorts.* |
|---|---|---|---|---|
| From Savannah | 3,000 | | | |
| Washington, N. C. | 14,221 | | | |
| Elizabeth City | 13,115 | | | |
| Other ports in N. C. | 14,405 | | | |
| Fredericksburg | 116,118 | 126 | | 27,350 |
| Norfolk | 97,314 | 75 | | |
| Rappahannock | 30,714 | | | |
| Tappahannock | 29,555 | 112 | | |
| Port Royal, Va. | 19,178 | | | |
| Other ports in Virginia | 15,666 | | 8,000 | |
| Alexandria | 47,923 | 312 | 3,100 | |
| Baltimore | 306,275 | | 10,280 | 8,346 |
| Wilmington, Del. | 18,800 | 160 | 3,760 | 2,350 |
| Other ports in Del. | 7,450 | 130 | 1,650 | |
| Philadelphia | 268,063 | 1,252 | 14,169 | 8,008 |
| New York | 153,861 | 24,719 | 39,945 | 17,600 |
| Albany | 11,559 | 6,142 | 15,385 | 13,825 |
| Other ports in N. Y. | 7,085 | 1,830 | 170 | 400 |
| Bridgeport | 16,650 | 1,850 | 8,100 | |
| Other ports in Conn. | 5,100 | 8,088 | 3,960 | |
| Ports in Massachusetts | 11,000 | 574 | 128 | |
| N. Hampshire | 163 | 330 | 368 | |
| Maine | 150 | 1,960 | 69,756 | |
| Total bushels imported in 1832 | 1,207,676 | 47,660 | 178,771 | 77,879 |

CLEARANCES.

| | *Ships & barques.* | *Brigs.* | *Schrs.* | *Sloops.* | *Steam boats.* | *Dogger.* | *Total.* |
|---|---|---|---|---|---|---|---|
| Foreign | 128 | 487 | 327 | | | 1 | 943 |
| Coastwise | 123 | 461 | 1,567 | 457 | 3 | | 2,611 |
| Total 1832 | 251 | 948 | 1,894 | 457 | 3 | 1 | 3,554 |

Of the foreign clearances, there were, American 731, English 199, Spanish 3, French 2, Swedish 2, Sicilian 2, Danish 1, Dutch 1, Portuguese 1, Russian 1—943.

| | |
|---|---|
| In 1830—Foreign arrivals | 642 |
| Coastwise do. | 2,938 |
| Foreign clearances | 567 |
| Coastwise do. | 2,216 |
| Bales of cotton imported | 46,203 |
| Barrels of flour do. | 309,997 |
| 1831—Foreign arrivals | 676 |
| Coastwise do. | 2,946 |
| Foreign clearances | 684 |
| Coastwise do. | 2,228 |
| Bales of cotton imported | 53,810 |
| Barrels of flour do. | 286,482 |
| Bushels of corn do. | 681,131 |
| do. oats do. | 239,809 |
| do. rye do. | 49,495 |
| do. shorts do. | 33,489 |
| Hhds. molasses do. | 58,042 |

## NEW YORK INSPECTIONS OF FLOUR AND MEAL, &c.

*From the Shipping List.*

By the report of the flour inspector in this city, made to the legislature of the state, it appears the amount of inspections from 1st January, 1832, to 1st January, 1833, were as follows:

*Wheat flour.*

| | | | *Average value per brl.* |
|---|---|---|---|
| Superfine | barrels | 764,705 | $6 12½ |
| Do. | half do. | 24,584 | 3 12½ |
| Fine | barrels | 24,516 | 5 75 |
| Do. | half do. | 885 | 2 62½ |

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| | | | |
|---|---|---|---|
| Bad | barrels | 21,595 | 5 00 |
| Do. | half do. | 101 | 2 50 |
| Fine middlings | barrels | 8,061 | 5 44 |
| Middlings | barrels | 5,409 | 5 00 |
| Ship stuff | barrels | 2,954 | 4 37 |
| | *Rye flour.* | | |
| Rye | barrels | 19,675 | 4 50 |
| | *Indian meal.* | | |
| Barrels | | 12,774 | 3 62½ |
| Hogsheads | | 7,155 | 15 60 |
| | *Buckwheat.* | | |
| Barrels | | 128 | 4 00 |
| Half do. | | 244 | 2 12½ |
| | Total value | | $5,312,983 24 |
| | Value last year | | 5,399,797 85 |

Of the above flour, about 20,000 barrels were re-inspections.

Flour consumed in the city is not required, by law, to be inspected.

INSPECTIONS FOR THREE YEARS.

| *Wheat flour.* | 1830. | 1831. | 1832. |
|---|---|---|---|
| Barrels | 808,716 | 915,687 | 827,213 |
| Half do. | 23,037 | 25,187 | 25,570 |
| *Rye flour.* | | | |
| Barrels | 15,192 | 9,212 | 12,676 |
| *Buckwheat.* | | | |
| Barrels | 158 | 197 | 128 |
| Half do. | 486 | 405 | 244 |
| *Corn meal.* | | | |
| Barrels | 9,663 | 24,076 | 12,774 |
| Hogsheads | 10,316 | 9,951 | 7,154 |
| Totals in N. York | 867,568 | 981,725 | 885,787 |
| Do. in Brooklyn, | | | |
| *Wheat flour.* | | | |
| Barrels | 7,136 | 5,627 | 4,835 |

EXPORTS.

Of wheat flour from New York to foreign ports from 1st Jan. 1832, to 1st January, 1833, viz:

| | *Barrels.* |
|---|---|
| To Great Britain | 12,221 |
| France | 22,460 |
| Gibraltar | 3,257 |
| Madeira | 1,825 |
| North of Europe | 230 |
| Cape of Good Hope | 230 |
| British colonies, W. Indies and S. America | 154,291 |
| Total export in 1832 (foreign) | 195,614 |
| Do. 1831 | 537,104 |
| Do. 1830 | 304,362 |
| Do. 1829 | 230,441 |
| Do. 1828 | 207,946 |
| Do. 1827 | 178,222 |

[☞The whole inspection of wheat flour in 1832, being added up, was 840,029 barrels; of which 195,614 were exported, leaving 644,415 *unaccounted* for, a three times greater quantity than foreigners would receive, though a *glorious* trade has been opened with *the* West Indies, in *British* vessels, through *British* North American ports! So even at New York, "the great commercial emporium," the home market for the farmers is three times (and more) more valuable than the foreign one. And by the preceding statement concerning the commerce of Boston, it appears that at that place of deposit for the supply of a portion of the manufacturers of Massachusetts, is shewn that nearly twice as much flour was imported at Boston as was sent to all foreign places from New York—independent of the supply of the Boston market by inland transportations.]

## CONVENTION WITH FRANCE.

*Office of the board of comm'rs. under the convention with France.*
*Washington City, March 5, 1833.*

The board having considered and disposed of all the memorials before it, passed the following orders:

1. *Ordered*, That all persons having claims to be presented to this board, memorials of which have not been filed with the secretary, or, which being filed, have not been received by the board at its present session, by reason of defects in the same, to file memorials of their said claims, with the secretary, on or before the 10th day of June next; after which day, no new memorial will be received, unless upon good cause shown, why the same was not filed as herein before required; and that each of said memorials, so required to be filed, be prepared and verified in conformity to the orders of this board of the 11th day of September, 1832.

2. *Ordered*, That the memorials which have been received by the board, at its present session, be set down at the expiration of six months from the date of this order, for examination upon the proof, filed with the secretary previous to that period, and that all memorials that shall hereafter be received by the board, be set down for examination, in like manner, at the expiration of six months from the date of their reception; but if any claimant shall wish his memorial set down for examination at an earlier day, it may be done at any time upon application made to the board for that purpose; and if any claimant can show good cause why his memorial should not be set down for examination at the expiration of said period of six months, upon application, and such good cause shown to the board, further time will be allowed him for that purpose.

3. *Ordered*, That the arguments in each case which has been suspended, be filed with the secretary on or before the 10th day of June next; and that in the case of every memorial that shall hereafter be received in which the claimant intends to submit an argument to the board, such argument shall be filed with the secretary before or on the day his memorial shall be set down for examination, and no proof, argument, or other document, shall be received after the memorial is set down for examination, except by special leave of the board; and no paper shall be withdrawn after being filed, without such leave.

And that time may be allowed to claimants to prepare and file their memorials, as above directed—procure their proofs, and prepare their cases for examination, it is further,

*Ordered*, That when the board shall adjourn to day, it will adjourn to meet again on the 10th day of June next; at which time, it will proceed to examine and decide on such memorials as may have been filed with the secretary previous to the said 10th day of June next, pursuant to the above orders. By order of the board, JOHN E. FROST, *secretary.*

## UNITED STATES SENATE.

The senate board for the twenty-third congress is now full, with the exception of two members, viz. one from Pennsylvania and one from Tennessee. The figures opposite the names denote the years when the respective terms of service of the members will expire.

| | | | |
|---|---|---|---|
| *Maine.* | | *North Carolina.* | |
| Peleg Sprague | 1835 | Bedford Brown | 1835 |
| †Ether Shepley, | 1839 | William D. Mangum | 1837 |
| *New Hampshire.* | | *South Carolina.* | |
| Samuel Bell | 1835 | †John C. Calhoun (c) | 1835 |
| Isaac Hill | 1837 | Stephen D. Miller | 1837 |
| *Massachusetts.* | | *Georgia.* | |
| Nathaniel Silsbee | 1835 | George M. Troup | 1835 |
| *Daniel Webster | 1839 | John Forsyth | 1837 |
| *Rhode Island.* | | *Kentucky.* | |
| Nehemiah R. Knight | 1835 | George M. Bibb | 1835 |
| *Asher Robbins | 1839 | Henry Clay | 1837 |
| *Connecticut.* | | *Tennessee.* | |
| Gideon Tomlinson | 1837 | Hugh L. White | 1835 |
| †Nathan Smith | 1839 | One vacancy | — |
| *Vermont.* | | *Ohio.* | |
| Samuel Prentiss | 1837 | Thomas Ewing | 1837 |
| †Zephaniah Swift | 1839 | †Thomas Morris | 1839 |
| *New York.* | | *Louisiana.* | |
| †Silas Wright (a) | 1837 | George A. Waggaman | 1835 |
| †Nath'l P. Tallmadge | 1839 | Josiah S. Johnston | 1837 |
| *New Jersey.* | | *Indiana.* | |
| Theod. Frelinghuysen | 1835 | William Hendricks | 1837 |
| †Samuel L. Southard | 1839 | *John Tipton | 1839 |
| *Pennsylvania.* | | *Mississippi.* | |
| William Wilkins | 1837 | George Poindexter | 1835 |
| One vacancy | — | †John Black | 1839 |
| *Delaware.* | | *Illinois.* | |
| John M. Clayton | 1835 | John M. Robinson | 1835 |
| *Arnold Naudain | 1839 | Elias K. Kane | 1837 |
| *Maryland.* | | *Alabama.* | |
| Ezekiel F. Chambers | 1837 | William R. King | 1835 |
| †Joseph Kent | 1839 | Gabriel Moore | 1837 |
| *Virginia.* | | *Missouri.* | |
| †William C. Rives (b) | 1835 | Alexander Buckner | 1837 |
| *John Tyler | 1839 | *Thomas H. Benton | 1839 |

There will be a decided majority of anti-Jackson members, including the nullifiers. [*Jour. Com.*

## LEGISLATURE OF MAINE.

*To the senate and house of representatives:*

The order requesting the governor "to communicate to the legislature the report of the commissioners on the north eastern boundary, appointed under the resolve of March 3, 1832, if the same has been received by him, with any other documents which he may deem proper, and as soon as the same can, in his judgment, be communicated consistently with the public good," has received the attentive consideration of this department, which has come to the conclusion, that the publication of these documents, at this time, could not fail to be prejudicial to the success of the negotiation instituted by the president with Great Britain in relation to the north eastern boundary; and in that view, could not be consistent with the public good, but adverse to the interests of the state, and of the United States. The legislature and people can be assured that no definite action will be, or can be had in relation to the disputed territory, on the part of this state, till the whole subject shall receive the consideration of the legislature, to whom, at the proper time, the documents will be communicated, and by whom such direction will be given to this important concern as shall best comport with the rights, honor, and interest of the state.

SAMUEL E. SMITH.

*Executive department, March 1, 1833.*

☞"It is understood" that the commissioners have agreed to give up the land and *people*, in dispute, for a million of acres in

* Re-elected. † New members.

(a) In place of Mr. Marcy, resigned. (b) In place of Mr. Tazewell, resigned. (c) In place of gen. Hayne, resigned.

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Michigan. But Massachusetts has something to say about the bargain.

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An account of the proceedings had on the preceding message says—"it was referred by the senate to a select committee; but, an hour afterwards, a motion to reconsider the vote of reference was carried by a vote of 11 to 9. A motion was then made to lay the communication on the table; but was withdrawn, that it might be sent to the house. In the house, a motion to refer it to a select committee was rejected, 86 to 31, and it was finally returned to the senate.

"It is obvious from the language of the governor's message, that a report has been made by the commissioners. What the tenor of that report may be, is not fully known; but from the language used in the debate relative to the disposition of the communication above referred to, there seems to exist a persuasion that the commissioners have entered into a negotiation for a surrender of the territory in dispute, on the receipt of some indemnity. Among other objections to the action of the commissioners, the following was suggested by Mr. Boutelle, a member of the senate:

"Suppose our commissioners make a bargain and obtain an 'indemnity,' we cede away territory of which half the soil belongs to Massachusetts, and that commonwealth loses her share, or looks to us as responsible for selling her land."

—

Just before the adjournment of the legislature, the following resolutions were passed:

*Resolved*, That so much of the resolve passed the 3d day of March, 1832, respecting the north eastern boundary, as provides for the submission to the legislature, "for approval or rejection," of the agreement or treaty therein contemplated to be made by the commissioners therein mentioned, be, and the same is hereby repealed.

*Resolved*, That no arrangement, provisional agreement or treaty, already made, or that may hereafter be made, under, or in pursuance of, the resolve to which this is additional, shall have any binding force, effect, or operation, until the same shall have been submitted to the people of this state, in their primary assemblies, and approved by a majority of their votes.

## LEGISLATURE OF MARYLAND.

IN THE HOUSE OF DELEGATES.

Mr. Wright, of Dorchester, submitted the following preamble and resolutions:

*By the house of delegates, March 4th*, 1833.

The legislature of the state of Delaware having represented to this general assembly, that in the opinion of the legislature of the state of Delaware, it would greatly promote the interest, comfort and prosperity of the inhabitants of the peninsula, formed by the waters of the Chesapeake and Delaware bays, if they were united under one government:

That it comports with the wishes and views of the people of the state of Delaware, that the people of the Eastern Shore of Maryland, and those of Delaware, should be united under one government, and that the region of country inhabited by them respectively, should be denominated the state of Delaware. And that the governor of Delaware is authorised, in case these views of the state of Delaware should meet the approbation of the legislature of the state of Maryland, to appoint three commissioners on the part of the state of Delaware, to meet such as may be appointed on the part of the state of Maryland, to carry the measures into execution, and settle the preliminaries and details thereof, subject to the final ratification of the legislatures of the two states, and that of the congress of the United States;—therefore,

*Be it resolved by the general assembly of Maryland*, That, holding the pursuit of happiness as the unalienable right of all men, and that political associations and governments are but means to gain that desirable end, we refer the overture made to this general assembly, by the legislature of the state of Delaware, to the candid and serious consideration of our fellow citizens, in the respective counties on the Eastern Shore of Maryland, who are immediately and most particularly interested in the proposition. And we leave the subject to be first entertained by our fellow citizens on the Eastern Shore, in a general convention, to be held among themselves, or in such other way as to them may seem most fit.

*Resolved by the general assembly of Maryland*, That in case it should be authentically notified to the governor of Maryland by any proper authority from the counties on the Eastern Shore of this state, that it is the wish and pleasure of the people in those several counties, that commissioners should be appointed on the part of the state of Maryland, to meet those to be appointed by the state of Delaware, in order to adjust preliminaries and details, that all may the better understand the precise terms of the proposed change, before any final decision is made. That the governor, by and with the advice and consent of the council, is hereby authorised and empowered to appoint three commissioners from the Eastern Shore of Maryland, for that purpose, as soon after the notification as may be—and the said commissioners are directed to make full report to the governor, to be by him laid before the general assembly of Maryland, at the earliest period after its reception.

*Resolved*, That the governor of this state be requested to forward a copy of these resolutions to the governor of the state of Delaware, with a solicitation to present them to the legislature of that state.

Which were read.

Mr. Jones moved to refer said preamble and resolutions, and the resolutions of the state of Delaware, in relation to the union of the Eastern Shore counties of this state with the said state of Delaware, to a select committee, to be composed of one member from each of the Eastern Shore counties.

Mr. Merrick moved to amend the motion of Mr. Jones, by striking out, "Eastern Shore counties," and inserting "counties of the state."

Mr. Nicols moved to lay the motion and amendment on the table; resolved in the affirmative.

—

Mr. George A. Thomas, submitted the following order:

*Ordered*, That the governor be requested to cause the flag to be hoisted on the state house this day at 12 o'clock, in honor of the inauguration of the president and vice president of the U. States of America.

Which was read.

Mr. Cottman moved to amend said order, by striking out these words, "and vice president."

Resolved in the affirmative.

On motion of Mr. George A. Thomas, the yeas and nays were ordered, and appeared as follows—affirmative 34, negative 26.

The question was then put, "will the house adopt said order, as amended?"

Resolved in the affirmative.

On motion of Mr. Jenkins, the yeas and nays were ordered, and appeared as follows—yeas 59, nays 2.

Mr. Jones submitted the following order:

*By the house of delegates, March 4th*, 1833.

*Ordered*, That his excellency, the governor, be requested to cause the flag of the union to be hoisted over the capitol, to-morrow at 12 o'clock, M. in honor, and as expressive of our approbation of the patriotic exertions of Henry Clay, and those senators and representatives in the congress of the United States, who co-operated with him in effecting a compromise of the tariff, and in endeavoring to restore harmony to our country.

Which was read.

Mr. Turner moved to amend said order, by striking out the name of Henry Clay.

Determined in the negative.

Mr. Jenkins moved to amend said order, by inserting after the word "approbation," the following:—"and Andrew Jackson, president of the United States, for recommending in his annual message, of December last, a gradual and protective reduction of the tariff, with a just regard of the great interests invested in manufactures."

Determined in the negative.

On motion by Mr. Jenkins, the yeas and nays were ordered, and appeared as follows:—yeas 21, nays 42.

Mr. Holmes moved to postpone said order indefinitely.

Determined in the negative.

Mr. Wright, of Queen Anne's, offered as a substitute for said order, the following:

*Ordered*, That in the exertions which have been made by the distinguished individuals in congress to effect a modification of the tariff, or their exertions in favor of any other subject, they did nothing more than their duty, and that it does not comport with the dignity of freemen to be offering their thanks to any, for the performance of nothing but their duty.

Which was read.

Mr. Turner moved to lay the order and substitute on the table.

Determined in the negative.

Mr. Jenkins moved to amend said order, by adding at the end thereof the following:

And to William Wilkins, senator from Pennsylvania, who reported the bill further to provide for the collection of the duties on imports, thereby affording to the president of the United States power to support the dignity of the nation, and the supremacy of the constitutional laws of the land, and those senators and representatives who voted for the said bill.

Mr. Merrick called for the previous question, and being demanded by a majority of the members present, the said previous question was put, viz. shall the main question be now put? and it was resolved in the affirmative.

On motion by Mr. Jenkins, the yeas and nays were ordered, and appeared as follows:—yeas 33, nays 27.

The question was then put on the amendment, as proposed by Mr. Jenkins;

Determined in the negative.

On motion by Mr. Jenkins, the yeas and nays were ordered and appeared as follows:—yeas 23, nays 41.

The question was then put on the adoption of the substitute, offered by Mr. Wright, of Queen Anne's.

Determined in the negative.

On motion by Mr. Holmes, the yeas and nays were ordered, and appeared as follows:—yeas 21, nays 37.

The question then recurred, and was put on the adoption of the original order;

Resolved in the affirmative.

On motion by Mr. Ely, the yeas and nays were ordered, and appeared as follows:—yeas 40, nays 22.

Mr. Jenkins asked leave of the house, to enter upon the journal his reason for his vote on said order;

On the question being put, will the house grant the leave?

It was resolved in the affirmative.

Mr. Jenkins then offered as his reason, the following:

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"Because he believes that the said order was designed as a party movement."

On motion by Mr. Harris, seconded by two other members who voted in the majority, the house reconsidered their vote upon said leave;

The question was then again put, Will the house grant the leave?

Resolved in the affirmative.

THE NEW TARIFF LAW.

The following is from the Charleston Mercury of the 23d February. The writer is a very *pious* man—perhaps a little *profane*—but it is from the "*right side of the Tweeds*," and may not be impeached! We have marked a few words in *italics* and SMALL CAPITALS, to shew the *notions* of the writer.

"Mr. Clay's bill is the subject which now engages all tongues and occupies all attention. And well it may: for it was certainly as unexpected, as it is gratifying, considering the source from which it comes. Who would have thought that our wounds would have been healed by the hand that inflicted them! or that peace would have been restored by the individual who has done more than any other to destroy it! or that the union would have been preserved by him who brought it literally to the verge of the precipice? There is something, not only peculiarly right and beautiful in this, but that shows distinctly the superintending *Providence of God* in the affairs of our country, and that as he blesses and sustains the cause of justice, so he works out its triumph even by the instrumentality of the chief of our oppressors. Is it not right that *he* who has injured us, should be the means of redressing our wrongs? And is it not retributive justice, that even at a period like this, when all hope of relief apparently was gone, and South Carolina was calmly preparing for the field, determined if she could not regain, not to survive her liberty, *he who had forced her to resistance, who had driven her to secession, should now appear as her friend and champion?* WHO DOES NOT PERCEIVE IN THIS THE HAND OF THE ALMIGHTY SUPPORTING THE CAUSE OF THE OPPRESSED, AND TURNING EVEN THE HEART OF THE OPPRESSOR TO THE PURPOSES OF JUSTICE! What less than the *power of* GOD could have induced Mr. Clay to consent to the *abandonment of that system* of which he is the father, and which he has zealously maintained against all our petitions and remonstrances, even to the present hour!—What less than *that* POWER could have torn him from his darling policy, and from all his cherished notions of government, and have induced him to *sacrifice* them all upon the altar of peace and union?

"Really, Mr. Editor, I know not how others think or feel upon this subject, but, for myself, as I have never doubted that our cause was just and that the GOD of justice would ensure its triumph, so I perceive in this movement of Mr. Clay a distinct manifestation of the DIVINE INTERPOSITION *in our favor*, and of the overruling care and protection of that BEING who makes the wrath of man to praise HIM, by making even our greatest enemy himself the instrument of our deliverance from tyranny. Let us be grateful to GOD, that as he gave us intelligence *to understand* our rights, and firmness and resolution *to maintain* them, so HE now opens a prospect of peaceable success, in a way which HE only could have opened, if not by actually converting our principal antagonist to a friend, at least by turning his thoughts to harmony and conciliation. As to the bill itself, there are but two or three questions worthy of consideration. Ought it to satisfy the south? Will it become an act? How will it affect Mr. Clay in the different sections of the union? In relation to the first point, I have no hesitation to say, for one, that it ought to satisfy the south. I could have wished, indeed, that the period for the final reduction of the tariff to the revenue standard had been shorter, but the time fixed, long as it is, ought not to constitute an insuperable objection. The great objects are, *to abolish the protective policy*, and to reduce the revenue to the legitimate wants of the government. *Both of these objects will be accomplished by this measure.* It will reduce the *protective duties*, biennially, till they come down to 20 per cent. and after that *an uniform ad valorem duty will be laid upon all articles indiscriminately*, except such as may be admitted duty free. HERE THEN EVERY THING IS OFFERED FOR WHICH WE HAVE CONTENDED. THE BILL GIVES UP THE PROTECTIVE PRINCIPLE, AND WILL ABANDON THE PROTECTIVE POLICY, we give them *time*, so that the system may be let down gradually, without any PUBLIC CONVULSION or individual ruin."

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The following is from the Charleston "Mercury" of the 5th inst. We regret the necessity of admitting that certain of its most important points seem true—and that the friends of "free trade," so called, as well as of "nullification," have gained a victory—for the time being. A little more *modesty*, however, in proclaiming it, might have been well—under the circumstances of the case. We add some extracts from the "Courier" and "Patriot"—union papers.

*From the Charleston Mercury.*

THE ADJUSTMENT.

It will be seen that Mr. Clay's bill for the gradual reduction of the tariff to the revenue standard has passed the house of representatives, and there is no doubt that it has also passed the senate and become a law. This is a result which we confess we did not anticipate. Henry Clay, the father of the American System, after his long and zealous advocacy, and after carrying through the abominable tariff of 1832, has found it necessary, even before the time appointed for that bill to go into operation, to abandon it, and to introduce a bill providing for the eventual reduction of duties to the amount of revenue "*necessary for the economical administration of the government!*" This is indeed surprising: and although the provisions of the bill fall short of what we could have desired, and are not such as the south had a right to demand, and in strict justice to insist upon—yet we cannot but hail with gratification this decided evidence of a disposition on the part of congress to do justice, to respect the constitution, and restore the sound principles of the government.

The final reduction is too long deferred. Four or five years would have been a sufficient concession of time to the manufacturers, before the reduction was completed: and 15* and not 20 per cent. might have been safely assumed as the extent of duty to be ultimately allowed them, and as being a rate sufficiently high to raise the amount necessary for the economical administration of the government. The cash duties—and the home valuation are also objectionable features of the bill. Still it has been a compromise, between our just claims, and the vested interests of the manufacturers, which immediate and full justice to the south would have involved in certain ruin—a consummation, which whether merited or not, the south did not desire. In making such a compromise, some obnoxious provisions were unavoidably to be permitted. *The principle too has been yielded to us, for which we contended from the first, that revenue, and not protection, should be the object of duties; and it has been yielded under a pledge that guarantees to us, that protection of manufactures will not be hereafter again assumed as the object of legislation. A pledge which, even if it should be violated, will secure us a decided resistance against all attempts to return to the American System. As therefore, we have never complained merely of the amount of the exactions levied for the benefit of the manufacturers—but contended against the principle, that being yielded and the definite prospect of full relief secured, we have gained the main point, and mastered the citadel of the odious system*, and we may submit to the concession of time for the manufacturers to shape their speculations to the new arrangement, though we do think that a more than reasonable period has been allowed them, considering how long the south has been denied even the hope of redress at the hands of congress.

We rejoice therefore in the prospect of a pacification of the confederacy, in spite of the inauspicious influences which have been exerted, and which until now induced us to despair of a peaceable issue of the struggle, which has shaken our union to its foundation, though we never despaired of the ultimate triumph of the good old cause. We are of opinion that South Carolina has not inducement now left her for a further act of nullification, and that it is probable that when the convention reassembles, no new ordinance of nullification will be adopted, that already passed, having now been rendered inoperative by the abolition of the obnoxious enactments against which it was framed to operate. Our convention will not, we think, reject a compromise *for which our own delegation and that of the whole south voted in solid phalanx; against which we are glad to see recorded the votes of all the ultra tariffites* and which none from the south sought to embarrass, but a few underling implements of the kitchen cabinet. This is our present impression, though events may intervene which we do not anticipate, which may require further action for the defence of their rights on the part of the people of South Carolina.

The passage of *Clay's* bill effectually kills the enforcing bill, which, however, from the indications in the house, will probably pass by a large majority. *If so, it may be considered as nothing more than an ebullition of spleen.* It will record the spite of the administration against certain men, and shew what enormities it would perpetrate, were the opportunity afforded. But the president will have been effectually precluded from the opportunity of chastising our resistance, by the removal of all motive to our resistance, and by there consequently being no resistance for him to punish. The ultra tariffites will, in revenge, and from principle, combine to pass the enforcing bill. Our convention will do no more than declare it null and void; and it will remain dead upon the statute book, '*brutum fulmen*' a monument of the corruption of the times—a record of treason to the constitution and liberty, which its authors will ere long wish in vain to have utterly erased from the memory of the republic. The passage of this bill will be ardently desired by the administration, as some compensation for the heavy blows which have fallen in such quick succession upon them of late: and they will claim it as a triumph of the principles of the proclamation, but it will be an empty triumph, as worthless as that of the buffoon tyrant of Rome, who, returning from his pompous and futile invasion of Britain, consoled himself by picking up, and brought back as trophies the shells which he had gathered on the sea shore.

*From the Charleston Courier, March 5.*

*The question settled.*—The Washington papers, received by the mail yesterday, confirm the gratifying intelligence as to the adjustment of the tariff, received the day before by the way of New York; and contain the additional information, that on Tuesday last, Mr. *Clay's* bill, as a substitute for Mr. *Verplanck's* finally passed the house of representatives, by a majority of 34

*We wish that the revenue duty was *instantly* reduced to *five* per cent. "Feeling has no fellow." ED. REG.

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votes, and was sent to the senate for concurrence, where, at the date of the last accounts, it was rapidly progressing to "the consummation devoutly to be wished," through the usual forms of legislation. There can be no doubt that Mr. *Clay's* bill, ere congress adjourned, must have passed both houses, received the signature of the president, and become the law of the land.

We cannot but indulge in the expression of our heartfelt gratification, at this unexpected and auspicious termination of a controversy, which has been such a prolific source of mischief, political, commercial and social, in our community, and which, as it were, but yesterday threatened to plunge us in all the horrors of civil war, and lay in ruins the noble edifice of union, erected by our fathers, as the palladium of our liberties. The union has been thus once more saved, in the spirit of concession and compromise, that presided at its formation. The settlement of this question has taken place too, at a time in other respects most opportune—at a period, when the government had assumed the attitude becoming the assertion of its lawful supremacy, and when nullification, the spirit of evil that had crept for purposes of mischief into our political paradise, had received the rebuke and reprobation of every section of the union. We cannot then but commend this act of our national legislature, as a magnanimous concession from the strong to the weak, dictated by a spirit of conciliation that will disarm the enemies of the government, and a spirit of wisdom that will strengthen the ties and perpetuate the institutions, that constitute us *one people*.

*From the Southern Patriot, March 4.*

*Gratifying intelligence.* We have the satisfaction of announcing the passage of Mr. Clay's bill in the house of representatives on last Tuesday, by a majority of *thirty-four* votes. It has no doubt before this become the law of the land. We do not think this is as good a bill as we had reason to expect, but we hail it with gratification, as assuring peace to the country, and as it is not binding on future congresses, however, *individuals* who may have voted for it, consider themselves under a pledge of honor not to disturb the arrangement to which they have lent a sanction, we shall be able to see the working of the measure long before the lapse of the period when it is to receive its final character. It is to be hoped now that the wounds which have been inflicted on the peace of this community by the deadly breaches which have been made in the social charities and enjoyments of its members, will be permanently healed. Let us all forget and forgive, in the spirit of liberal minds and generous dispositions, the mutual provocations and injuries to which the late unhappy controversy has led. Let us bury all feuds, and banish to the shades of everlasting oblivion, the demon of party. Let us, in short, recollect that we are citizens of a common country; and, however we may differ about the *means* of glorifying and exalting it; the *end* we all have in view being the same, mutual charity dictates generous oblivion of all past differences.

## YEAS AND NAYS

IN THE HOUSE OF REPRESENTATIVES.

| *Tariff bill.* | | | | | *Enforcing bill.* | | | | |
|---|---|---|---|---|---|---|---|---|---|
| *States.* | *Ayes.* | *Noes.* | *Absent.* | *Total.* | *States.* | *Ayes.* | *Noes.** | *Absent.* | *Total.* |
| Maine | 6 | 1 | 0 | 7 | Maine | 6 | 0 | 1 | 7 |
| N. Hampshire | 4 | 1 | 1 | 6 | N. Hampshire | 4 | 1 | 1 | 6 |
| Massachusetts | 0 | 13 | 0 | 13 | Massachusetts | 13 | 0 | 0 | 13 |
| Rhode Island | 0 | 2 | 0 | 2 | Rhode Island | 2 | 0 | 0 | 2 |
| Vermont | 0 | 5 | 0 | 5 | Vermont | 5 | 0 | 0 | 5 |
| Connecticut | 0 | 6 | 0 | 6 | Connecticut | 5 | 0 | 1 | 6 |
| | 10 | 28 | 1 | 39 | | 35 | 1 | 3 | 39 |
| New York | 11 | 19 | 4 | 34 | New York | 27 | 3 | 4 | 34 |
| New Jersey | 0 | 6 | 0 | 6 | New Jersey | 1 | 2 | 3 | 6 |
| Pennsylvania | 4 | 21 | 1 | 26 | Pennsylvania | 24 | 1 | 1 | 26 |
| Delaware | 0 | 1 | 0 | 1 | Delaware | 1 | 0 | 0 | 1 |
| Maryland | 9 | 0 | 0 | 9 | Maryland | 8 | 0 | 1 | 9 |
| | 24 | 47 | 5 | 76 | | 61 | 7 | 9 | 76 |
| Virginia | 20 | 1 | *0 | 21 | Virginia | 8 | 13 | *0 | 21 |
| North Carolina | 13 | 0 | 0 | 13 | North Carolina | 9 | 3 | 1 | 13 |
| South Carolina | 9 | 0 | 0 | 9 | South Carolina | 3 | 6 | 0 | 9 |
| Georgia | 6 | 0 | 1 | 7 | Georgia | 1 | 6 | 0 | 7 |
| Alabama | 3 | 0 | 0 | 3 | Alabama | 0 | 3 | 0 | 3 |
| Mississippi | 1 | 0 | 0 | 1 | Mississippi | 0 | 1 | 0 | 1 |
| Louisiana | 3 | 0 | 0 | 3 | Louisiana | 3 | 0 | 0 | 3 |
| | 55 | 1 | 1 | 57 | | 24 | 32 | 1 | 57 |
| Kentucky | 12 | 0 | 0 | 12 | Kentucky | 7 | 4 | 1 | 12 |
| Tennessee | 9 | 0 | 0 | 9 | Tennessee | 7 | 2 | 0 | 9 |
| Ohio | 7 | 6 | 1 | 14 | Ohio | 11 | 1 | 2 | 14 |
| Indiana | 2 | 1 | 0 | 3 | Indiana | 3 | 0 | 0 | 3 |
| Illinois | 1 | 0 | 0 | 1 | Illinois | 0 | 1 | 0 | 1 |
| Missouri | 0 | 1 | 0 | 1 | Missouri | 1 | 0 | 0 | 1 |
| | 31 | 8 | 1 | 40 | | 29 | 7 | 3 | 40 |
| Total | 120 | 84 | 8 | 212 | Total | 149 | 48 | 16 | 212 |

* The noes were, Messrs. Weeks, of New Hampshire,§—no other nay from the New England states;—Root, Babcock and Wheeler, of New York; Cooper and Hughes, of New Jersey; Coulter, of Pennsylvania; Coke, Roane, Chinn, Allen, Barbour, Patton, Archer, Alexander, Davenport, Gordon, Mason and Claiborne, of Virginia; Hall, Rencher, Connor and Carson, of N. Carolina; McDuffie, Barnwell, Davis, Felder, Griffin and Nuckolls, of South Carolina; Foster, Lamar, Newnan, Clayton, Thompson and Wilde, of Georgia; Clay, Lewis and Mardis, of Alabama; Daniel, Gaither, Hawes and Wickliffe, of Kentucky; Plummer, of Mississippi; Arnold, and C. Johnson, of Tennessee; and Stanberry, of Ohio—48 in number.

The absentees were, Hammons, of Maine; Angel, Dayan and Jewett, of New York; Southard, L. Condict and S. Condict, of New Jersey; Spence, of Maryland; Branch, of North Carolina; Adair, of Kentucky; Boon, of Indiana; and Vance and Kennon, of Ohio—14 in number.

Lent, of New York, (dead), and the speaker, not entitled to vote, make up the whole number. Ayes 149, nays 48, absent 14†2=213. [*Balt. Amer.*

IN THE SENATE.

| *States.* | | *Tariff bill.* Ayes. | *Tariff bill.* Nays. | *Enf. bill.* Ayes. | *Enf. bill.* Nays. |
|---|---|---|---|---|---|
| Maine | Holmes, Sprague, | 2 | 0 | 2 | 0 |
| New Hampshire | Bell, Hill, | 2 | 0 | 2 | 0 |
| Massachusetts | *Silsbee*, *Webster*,‡ | 0 | 2 | 2 | 0 |
| Rhode Island | *Knight*, *Robbins*, | 0 | 2 | 2 | 0 |
| Connecticut | Foot, Tomlinson, | 2 | 0 | 2 | 0 |
| Vermont | *Prentiss*, *Seymour*, | 0 | 2 | 1 | 0 |
| | | 6 | 6 | 11 | 0 |
| New York | *Dudley*, Wright, | 1 | 1 | 2 | 0 |
| New Jersey | *Dickerson*, Frelinghuysen, | 1 | 1 | 2 | 0 |
| Pennsylvania | *Dallas*, *Wilkins*, | 0 | 2 | 2 | 0 |
| Delaware | Clayton, Naudain, | 2 | 0 | 2 | 0 |
| Maryland | Chambers, *Smith*, | 1 | 1 | 1 | 0 |
| | | 5 | 5 | 9 | 0 |
| Virginia | Rives, Tyler, | 2 | 0 | 1 | 1 |
| North Carolina | Brown,‡ Mangum, | 1 | 0 | 0 | 0 |
| South Carolina | Calhoun, Miller, | 2 | 0 | 0 | 0 |
| Georgia | Forsyth, Troup,‡ | 1 | 0 | 1 | 0 |
| Alabama | King, Moore, | 2 | 0 | 0 | 0 |
| Mississippi | Black, Poindexter, | 2 | 0 | 0 | 0 |
| Louisiana | Johnston, Waggaman, | 2 | 0 | 2 | 0 |
| | | 12 | 0 | 4 | 1 |
| Kentucky | Bibb, Clay, | 2 | 0 | 0 | 0 |
| Tennessee | Grundy, White, | 2 | 0 | 2 | 0 |
| Ohio | Ewing, *Ruggles*, | 1 | 1 | 2 | 0 |
| Indiana | *Hendricks*, *Tipton*, | 0 | 2 | 2 | 0 |
| Illinois | Kane,‡ Robinson, | 1 | 0 | 2 | 0 |
| Missouri | *Benton*, *Buckner*, | 0 | 2 | 0 | 0 |
| | | 6 | 5 | 8 | 0 |
| | | 29 | 16 | 32 | 1 |

On the passage of the enforcing bill in the senate, there was but one vote in the negative—that of Mr. Tyler, of Virginia. Fifteen senators were absent, viz. Messrs. Seymour, of Vermont; Smith, of Maryland; Brown and Mangum, of North Carolina; Calhoun and Miller, of S. Carolina; Troup, of Georgia; King and Moore, of Alabama; Black and Poindexter, of Mississippi; Bibb and Clay, of Kentucky; Benton and Buckner, of Missouri. About eight of these gentlemen, had they been present, would have voted against the bill.

Bringing together the votes in the senate and house of representatives in one view, they afford the following results:

| STATES. | *Tariff bill.* Ayes. | *Tariff bill.* Nays. | *Enforcing bill.* Ayes. | *Enforcing bill.* Nays. |
|---|---|---|---|---|
| New England | 16 | 34 | 38 | 1§ |
| Middle states, including New York | 32 | 52 | 69 | 7 |
| Southern | 67 | 1‖ | 28 | 33 |
| Western | 37 | 13 | 37 | 7 |
| | 152 | 100 | 172 | 48 |

* Add speaker (Stevenson) who did not vote, of course.
† Nays on the tariff bill, in italic.
‡ Absent on the tariff vote.
§ Weeks, of New Hampshire.
‖ Mercer, of Virginia.

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## BANK OF THE UNITED STATES.

***Supplemental report of the minority on the subject of the bank.***

HOUSE OF REPRESENTATIVES, MARCH 2, 1833.

Mr. *Polk* from the minority of the committee of ways and means, made the following supplemental report:

Since the body of the former report submitted by the minority of the committee of ways and means, was drawn up, the correspondence with the western offices which had been called for, has been received, and they ask to submit the following additional report in confirmation of the views already submitted in relation to the western debt. It is to be observed as stated in the former report, that the exchange committee in their report state, that "as soon as it was known that the agent had arrived in England, and that an arrangement of some kind would be accomplished, no time was lost in communicating to the board the fact that the preparations of the bank were such as to make it practicable to secure the usual facilities to the community. The subject was therefore immediately brought to the view of the board in the manner stated in the following extract from the minutes. These minutes are dated "*bank of the United States, September 21st*, 1832," and conclude with authorising the committee on the offices "to modify the instructions under which the officers of the bank have been acting, at such points and in such manner as they may deem most conducive to the interests of the bank." Instructions were addressed to such of the western officers as would most sensibly feel the restrictions, authorising them to resume the purchase of domestic exchange, and draw checks on the bank.

As the information that "an arrangement of some kind would be accomplished" in England, did not reach the exchange committee before the 1st October, it was difficult to perceive how it could have had any influence in producing the proceedings on the 21st. It now appears by the correspondence with the western branches, that they were not produced by that cause, but by an apprehension for the safety of the Lexington office, which the other offices in that quarter were called upon to sustain.

On the 11th September, as appears by the correspondence, the cashier of the Lexington branch wrote to the principal bank as follows, viz: "The disposition by organized concert, to make a run for specie seems to increase. Since the 28th May, we have paid out about $23,000, and in the last 7 days $6,200." "We have been apprised of calls that will be made for about $25,000 which we are looking for every hour," &c. On the 16th Sept. the cashier of the principal bank wrote to the Lexington branch as follows, viz: "Your letter of the 11th instant, to the late acting cashier has been received and we have in consequence to despatch by the mail to-morrow, two of our clerks, Samuel Mason, jr. and Edward Wheeler, with fifty thousand dollars in U. States gold coin for your office. This sum we trust will put you quite at your ease, at least until you can receive a supply of dollars from New Orleans. In addition to the other offices to which you have written for aid, that at Cincinnati may be resorted to."

On the 14th September the cashier at Lexington wrote that the demand upon them still continued.

On the 21st, the day on which the proceeding before adverted to took place, the president of the principal bank wrote to the Lexington branch as follows, viz:

*Bank United States, September* 21, 1832.

DEAR SIR—I received this morning your letter of the 14th inst. and in consequence have requested the cashier to send immediately an additional sum of $60,000 in gold, which with the previous remittance of $50,000 and the aids which I hope you will have received before this time from some of the neighboring offices, will place you at your ease. If from day to day as we hear from you there should seem to be a necessity for a greater supply, it will be forwarded to you, meanwhile you will take care of course to keep out of the way of any large demands by confining your receipts to the paper of your own office; and keeping your business within safe limits.

Very respectfully, yours,

(Signed), N. BIDDLE, *president.*

In addition to these $110,000, $10,000 more are furnished from Louisville, $30,000 from St. Louis, $25,000 from Natchez, and $110,000 from New Orleans, making in all $275,000.

This is sufficient, without the aid of the news of the arrangement in Europe, which could not have been received until more than a week afterward, to account for the proceedings of the 21st September, and the instructions sent to those western branches which were expected to sustain the branch at Lexington.

In relation to the condition of the western debt, involving the safety of the institution, the correspondence with the western branches affords evidence, not before the committee when their former report was drawn up, and which goes strongly to confirm the opinions therein expressed.

To *Mr. Bevan*, the following question was propounded, viz: "Of the amount of domestic bills of exchange reported in the monthly statements of the year 1832, do you believe any considerable proportion to be of the character of accommodation paper to be renewed by drawing and redrawing between the bank and its branches, or between several branches? *Answer.* If any, it must be a very limited amount, because the directors discountenanced and refused, when they knew it to be such, and I presume the same course to be followed in the branches, which have instructions from the mother bank to guard against that description of paper.

*Mr. Eyre* was asked. Is there any amount of the bills of exchange discounted or purchased by the bank, which consists of accommodation paper produced by drawing and redrawing? *Answer.* I know of none—such paper is not countenanced by the bank.

To *Mr. Lippincott*, the following was propounded: "Of the amount of domestic bills of exchange reported in the monthly statements of the years 1831-2, do you believe any considerable proportion to be of the character of accommodation paper to be renewed by drawing and redrawing between the bank and the branches or between the several branches? *Answer.* I don't recollect of any.

*Mr. Lippincott* was also asked: Have the directors of the bank the means of detecting any habitual practice of drawing and redrawing just referred to, if it should exist between the branches when carried to any extent? *Answer.* They have, by means of the periodical returns of the branches to the mother bank of the business done at those branches respectively.

Of *Mr. Eyre* and *Mr. Bevan*, similar questions were asked, who, each gave similar replies.

The preceding testimony of the two members of the exchange committee, one of whom was also chairman of the committee on the offices, is before the house, and we take the following extract from their report, viz:

"In further illustration of the character of the western debts, the returns show that the total amount of domestic bills of exchange, purchased at the western offices from the 1st of July, 1831, to the 31st of December, 1832, is $10,397,094 93

On which the amount protested and unpaid is 13,863 36

Of which the estimate of probable loss is 1,500 00

But as some portion of this may be still running to maturity, and its fate undecided, it should be remarked that the whole of this estimated loss of $1,500, arose out of the purchases during the year ending on the 1st of July, 1832—

Which amounted to $10,137,722 22

On which the total amount protested and remaining unpaid, is only 13,863 36

The total loss only 1,500 00

"The cause of a loss so little proportioned to the amount of the investment is to be found in the fact, that the exchange transactions of the western states, grow out of the actual business, the actual shipments of the produce to the place of its exportation, furnishing to the bank the triple security, of the personal responsibility of the shipper, the property which he exports; and again, the personal liability of the merchant who receives it at the place of exportation. As an illustration of this, the following statement of the exchange operations of the bank at Nashville, may furnish an interesting example.

| | |
|---|---|
| 1831. October $366,512 63. | When the few bills remaining out of drafts on shipments of the previous crop, had not yet run to maturity. |
| 1831. December 1,062,094 84. | When the shipment of the new crop had commenced, and the planters and ginners had begun to draw on their correspondents. |
| 1832. April, 2,759,754 93. | When the crop may be considered to have all been shipped and drawn upon, and of course the amount of bills at the highest point. |
| 1832. October, 503,234 90 | When the bills drawn upon the shipments of the last crop had mostly matured. |
| 1833. Jan. 9, 2,049,612 02. | The shipments of the present crop having progressed to some extent, the amount of bills is naturally swelled in proportion. |

The branch which the exchange committee had selected to show the sound condition of this debt, we select to show its actual condition. On the 10th day of November last, the following letter was addressed to the president of the Nashville branch, viz:

*Bank of the United States, November 20th, 1832.*

DEAR SIR—You will receive, through the cashier's department, notice of the appointment of G. W. Gibbs and H. M. Rutledge, esqs. as members of your board. These gentlemen have long been known to us by reputation, and I am sure will make useful and agreeable associates in the administration of the office.

Allow me to ask your attention to my letter of the 27th of July last, in which I communicated the wish of the board, that you would abstain from the purchase of domestic bills except in reduction of pre-existing debts to the bank. At the period when my letter reached you, your account of domestic bills was about $500,000. Your statement of the 24th ultimo, the latest which has reached us, shews that amount to be upwards of one million of dollars, being an increase of more than $500,000, and making an actual purchase of bills to the amount of eight hundred thousand dollars since the middle of August. We are aware that many bills have returned upon the office, which, it was necessary to take up by redrafts. But still the amount exceeds much what had been anticipated by the board, and now that this source of demand must have ceased, I cannot too strongly invite your attention to the instructions contained in my letter of the 27th July, as the receipt of your notes occa-

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sioned by the purchase, may become very inconvenient to the bank. As the season advances, too, it would be desirable to shorten the term of all the bills which you are under the necessity of purchasing, to a period not exceeding four months. Very respectfully yours.

(Signed) N. BIDDLE, *president.*

*Josiah Nichol, esq. president's office, D. and D. Nashville, Tenn.*

By this letter, it will be perceived that it was known to the bank at Philadelphia, that *many bills had returned upon the Nashville office, which it was necessary to take up by redrafts.* This letter called out an explanation from the president of the Nashville branch, dated 22d November, which was followed by another dated the 24th, a note at the end of the first, says,

"We will not be able to get the debts due this office paid—indeed, if any, it will be a small part—the means are not in the country."

In other respects, the contents of the two are almost precisely alike, and we here give that of the 24th entire, viz.

*Office bank United States, Nashville, 24th November*, 1832.

*N. Biddle, esq.*

Dear sir—On the 22d instant, I did myself the pleasure of acknowledging the receipt of yours of the 10th instant, but as the mail was just about closing when I wrote, perhaps it did not explain to your satisfaction the reasons why our domestic bill account was so large; but, my dear sir, when you are informed of the debts that those bills are intended to liquidate, you will be of the opinion that we have not exceeded very far in that respect. The parent bank, and the offices at New York, Baltimore, Washington, Richmond, Pittsburg, Cincinnati, Louisville and Lexington, have been and still continue the practice of discounting bills and notes made payable at this office, and forwarding them for collection. This has been done this season to, I would say, three times the amount of any previous year, and to add to our difficulties last season, we had a very short crop of cotton, so that our own drafts predicated on the crop and payable at New Orleans, could not be paid out of the crop, in consequence of which drafts to a very large amount have been drawn by the commission merchants of New Orleans on their funds here, and made payable at this office. These drafts cannot be met when due at this office by the payment of cash, on account of its scarcity, and no other means could be resorted to but drafts again on New Orleans, which our directors thought right to purchase. Supposing that your letter of the 27th of July permitted or autharised the protesting of paper discounted at the parent bank and offices, as it would, if sent back, have occasioned a great many failures, if all, or a large portion of the above notes and drafts had been sent back under protest to the bank at Philadelphia, New York, Baltimore, Washington, Richmond, Pittsburg, Cincinnati, Louisville, Lexington and N. Orleans, which would have been the case had we not pursued the above plan—and bills payable 6 months after date is as short a time as ought to be taken—if we wished to serve all parties—as you will be apprised that those bills must be paid, if at all, out of the new crop, and only a very small part can be in cash before May or June. Be assured, sir, that we are as well convinced as you are that too many bills are offered and purchased, amounting to more than the present crop of cotton and tobacco will pay, I mean before all those papers are taken up. I am certain that one half of the collection paper sent here since August for payment, has not been taken up, as yet. Our cashier will make a statement to you showing how it stands.

As far as we yet purchased bills this season, it was to protect and pay the above collection notes and bills. Cash we have not given for bills, except small balances might be over after taking up the paper intended. I am also satisfied that adding mere cash purchases and bills we received for our own notes discounted (together) since the first April last, would not amount, in the whole, to more than $150,000, so that, if we had erred, it was to save the parent bank and offices. Your letter of the 10th inst. was this day laid before the directors requesting an answer to the several points of it. A committee of three have been appointed to draft such answer, it will be forwarded to you when made up. Very respectfully,

JOSIAH NICHOL, *president.*

This was followed on the 26th by the promised explanation of the cashier, which was of the same import. We content ourselves with taking the following extract, viz.

"The following exhibits the amount collected here for the parent bank and offices from the 1st September last to this date, *which*, with small exceptions, *have been paid through our bill operations*, viz:

| | |
|---|---|
| Bank United States - - - - | $147,473 |
| Office New York - - - - - | 31,365 |
| Baltimore - - - - - - | 7,607 |
| Washington - - - - - | 2,460 |
| Richmond - - - - - - | 42,112 |
| Fayetteville - - - - - | 276 |
| New Orleans - - - - - | 746,893 |
| Natchez - - - - - - | 3,150 |
| St. Louis - - - - - - | 722 |
| Louisville - - - - - - | 51,595 |
| Lexington - - - - - - | 24,902 |
| Cincinnati - - - - - - | 10,001 |
| Pittsburg - - - - - - | 28,521 |
| Boston - - - - - - | 350 |
| | $1,097,427 |

"In Alabama we have about $30,000 loaned in eleven notes, $20,000 of which will be turned into bills when they mature. All are of the first character for safety. There are some thousands of dollars of bills from New Orleans and other offices yet to mature, which can only be met through our bill operations."

The subject was submitted to the board of directors of the branch, who adopted unanimously the following resolution, viz:

"*Resolved*, That for the very satisfactory reasons assigned in the letters of the president and cashier of this office, addressed to the president and cashier of the parent bank, one dated on the 22d of November, 1832, the other the 26th November, 1832, that the board recommend it to the parent board to permit this office to continue its purchases of domestic bills at six months date, until the 1st day of March next."

Notwithstanding the confidence of the directors of the parent bank, that little or none of the debt based on domestic bills of exchange, was in the nature of accommodation paper, to be renewed by drawing and redrawing, we have here conclusive proof, that nearly the entire debt to the Nashville branch, is precisely of that description. Some of it, as the president of the branch admits, had already been drawn for *three times*, and he anticipates that it will again come back from New Orleans. By the monthly statements of the 1st November and 1st December, it appears that the whole amount of domestic bills at Nashville on the 17th October was $895,228 30, and on the 7th November, $1,245,510. The cashier states, that nearly the whole purchases made in September, October and November, amounting to $1,097,427, were redrafts, and he says, there are some thousands of dollars of bills from New Orleans and the offices which can be met only in the same way. The president of the branch, in his letter of the 24th, says, that the bills already offered and purchased were more than the present crop of cotton and tobacco will pay. Yet, as the committee of exchange state, the amount of these bills had increased on the 9th of January, 1833, to $2,449,612 92. From the statements of the cashier and president of the bank, there cannot be a doubt, that a large amount of this whole debt is redrafts!

We have here the reason why there are so few protests in the west.

It is with all this evidence in the bank, that the committee of exchange inform us "the exchange transactions of the western states grow out of the actual business, the actual shipments of produce to the place of exportation," &c. and give us an illustration of the small amount of bills at the Nashville branch in October, 1831 and 1832, and the large amounts in December, 1831, April, 1832, and January, 1833. If they had examined this evidence, they would have seen, that the reason of all this is, that at the periods of the lowest depression the *racers* were at the other end of the course. The bills at New Orleans at the times stated were as follows, viz:

| | |
|---|---|
| 1831, November, 4th, | $1,766,828 68 |
| 1832, June, 25th, | 7,031,968 07 |
| November, 2d, | 2,501,840 58 |

In the fall and first part of the winter they start from Nashville and other western offices to New Orleans, and in the spring and early part of the summer they start back again. As the amount sinks in Nashville, it rises in New Orleans; and as it sinks in New Orleans it rises in Nashville. The bills on New Orleans discounted last September, October and November were at six months, so that they will be falling due in March, April and May next, at which time the bill account at N. Orleans will rise and that at Nashville sink. Bills on Nashville will be discounted to pay the bills *from* Nashville, and again those bills will be paid by new bills on New Orleans.

There is no reason to suppose, that the bill business at the other western branches, is any better than at Nashville. That it is no better at Louisville, is shewn by the letter of the cashier of that branch written in November last, and already adverted to in the body of this report. The whole amount of domestic bills under discount in the valley of the Mississippi in November last, as shewn by the monthly statements at the close of that month, was $10,112,106 37. Upon the supposition that it is all in the same condition as the bill debt at Nashville, at least *seven* out of the *ten* millions is secured by paper called *race horse bills*, which is running from branch to branch, waiting for crops to be raised to meet them, and running the drawers with interest, exchange, commission for endorsement and acceptance, and other expenses.

In our opinion, no system of banking operations could be invented, more desolating and fatal to the trading and planting community of the west, than this extension of bank credits and overtrading in domestic exchange.

The facts now disclosed throw additional light upon the other branch of the western debt. To a great extent, the same parties which are engaged in this extensive business of drawing and redrawing, are undoubtedly principals and securities in the notes discounted. From the letters of the cashiers at Cincinnati, Louisville and Nashville, it appears to be as difficult to collect this debt as that based upon bills.

It is proper that we should add in conclusion that we cannot suppose the directors called before us, or the exchange committee in their report, could have been fully apprised of the facts, disclosed in this correspondence, which is herewith submitted.

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## LAWS OF THE UNITED STATES.

*An act further to provide for the collection of duties on imports.*

*Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, it shall become impracticable, in the judgment of the president, to execute the revenue laws, and collect the duties on imports in the ordinary way, in any collection district, it shall and may be lawful for the president to direct that the custom house for such district be established and kept in any secure place within some port or harbor of such district, either upon land or on board any vessel; and, in that case, it shall be the duty of the collector to reside at such place, and there to detain all vessels and cargoes arriving within the said district until the duties imposed on said cargoes, by law, be paid, in cash, deducting interest according to existing laws; and in such cases it shall be unlawful to take the vessel or cargo from the custody of the proper officer of the customs, unless by process from some court of the U. States and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons too great to be overcome by the officers of the customs, it shall and may be lawful for the president of the United States, or such person or persons as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia of the U. States as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

Sec. 2. *And be it further enacted*, That the jurisdiction of the circuit courts of the United States shall extend to all cases, in law or equity, arising under the revenue laws of the United States, for which other provisions are not already made by law, and if any person shall receive any injury to his person or property for or on account of any act by him done, under any law of the United States, for the protection of the revenue, or the collection of the duties on imports, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States in the district wherein the party doing the injury may reside, or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States shall be irreplevisable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispossess or rescue or attempt to dispossess or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, anno Domini one thousand seven hundred and ninety, for the wilful obstruction or resistance of officers in the service of process.

Sec. 3. *And be it further enacted*, That in any case where suit or prosecution shall be commenced in a court of any state against any officer of the United States, or other person, for or on account of any act done under the revenue laws of the United States, or under color thereof, or for or on account of any right, authority, or title, set up or claimed by such officer, or other person, under any such law of the United States, it shall be lawful for the defendant in such suit, or prosecution, at any time before trial, upon a petition to the circuit court of the United States, in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counsellor at law of some court of record of the state in which such suit shall have been commenced, or of the United States, setting forth that, as counsel for the petitioner, he has examined the proceedings against him, and has carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit and certificate, shall be presented to the said circuit court, if in session, and if not, to the clerk thereof at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the state court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by capias, he shall issue a writ of habeas corpus cum causa, a duplicate of which said writ shall be delivered to the clerk of the state court, or left at his office by the marshal of the district, or his deputy, or some person duly authorised thereto; and, thereupon, it shall be the duty of the said state court to stay all further proceedings in such cause, and the said suit, or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court; and any further proceedings, trial, or judgment therein in the state court shall be wholly null and void. And if the defendant in any such suit be in actual custody on mesne process therein, it shall be the duty of the marshal, by virtue of the writ of habeas corpus cum causa, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof, in vacation. And all attachments made and all bail and other security given upon such suit, or prosecution, shall be and continue in like force and effect, as if the same suit or prosecution, had proceeded to final judgment and execution in the state court. And if, upon the removal of any such suit or prosecution, it shall be made to appear to the said circuit court that no copy of the record and proceedings therein, in the state court, can be obtained, it shall be lawful for said circuit court to allow and require the plaintiff to proceed *de novo*, and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought, in said circuit court; and on failure of so proceeding, judgment of *non pros.* may be rendered against the plaintiff with cost for the defendant.

Sec. 4. *And be it further enacted*, That in any case in which any party is, or may be by law, entitled to copies of the record and proceedings in any suit or prosecution in any state court, to be used in any court of the United States, if the clerk of said state court shall, upon demand, and the payment or tender of the legal fees, refuse or neglect to deliver to such party certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof, by affidavit, that the clerk of such state court has refused or neglected to deliver copies thereof, on demand as aforesaid, may direct and allow such record to be supplied by affidavit, or otherwise, as the circumstances of the case may require and allow; and, thereupon, such proceeding, trial, and judgment, may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court.

Sec. 5. *And be it further enacted*, That, whenever the president of the United States shall be officially informed, by the authorities of any state, or by a judge of any circuit or district court of the United States, in the state, that, within the limits of such state, any law or laws of the United States, or the execution thereof, or of any process from the courts of the United States is obstructed by the employment of military force, or by any other unlawful means, too great to be overcome by the ordinary course of judicial proceedings, or by the powers vested in the marshal by existing laws, it shall be lawful for him, the president of the United States, forthwith to issue his proclamation, declaring such fact or information, and requiring all such military and other force forthwith to disperse; and if any time after issuing such proclamation, any such opposition or obstruction shall be made, in the manner or by the means aforesaid, the president shall be, and hereby is, authorised, promptly to employ such means to suppress the same, and to cause the said laws or process to be duly executed, as are authorised and provided in the cases therein mentioned by the act of the twenty-eighth of February, one thousand seven hundred and ninety-five, entitled "an act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, repel invasions, and to repeal the act now in force for that purpose;" and also, by the act of the third of March, one thousand eight hundred and seven, entitled "an act authorising the employment of the land and naval forces of the United States in cases of insurrection."

Sec. 6. *And be it further enacted*, That in any state where the jails are not allowed to be used for the imprisonment of persons arrested or committed under the laws of the United States, or where houses are not allowed to be so used, it shall and may be lawful for any marshal, under the direction of the judge of the United States for the proper district, to use other convenient places, within the limits of said state, and to make such other provision as he may deem expedient and necessary for that purpose.

Sec. 7. *And be it further enacted*, That either of the justices of the supreme court, or a judge of any district court of the United States, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of a prisoner or prisoners, in jail or confinement, where he or they shall be committed or confined, on or by any authority or law, for any act done, or omitted to be done, in pursuance of a law of the United States, or any order, process, or decree, of any judge or court thereof, any thing in any act of congress to the contrary notwithstanding. And if any person or persons to whom such writ of habeas corpus may be directed, shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine, not exceeding one thousand dollars, and by imprisonment, not exceeding six months, or by either, according to the nature and aggravation of the case.

Sec. 8. *And be it further enacted*, That the several provisions contained in the first and fifth sections of this act, shall be in force until the end of the next session of congress, and no longer.

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An act to explain and amend the eighteenth section of "an act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two.

*Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all articles upon which the duties were reduced by "an act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two, and which may not have been deposited under the provisions of the eighteenth section of the act aforesaid, whether the said articles were imported, or the duties thereon were secured or paid,

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before or after the passage of said act, may, to obtain the benefit of said act and this amendment thereto, be deposited at any time before the first of April next, in the custom house stores, or in the manner prescribed in the following section, by the importer, consignee, or any subsequent purchaser or owner, and all wines now on hand, or which may be imported at any time previous to the fourth day of March, eighteen hundred and thirty-four, and which may remain in the custody of the customs on that day, shall be entitled to the benefit of this act, and of that to which it is an amendment: *Provided*, that no merchandise imported in packages, bales, or casks, shall be entitled to the benefit of this act, or of that to which it is an amendment, unless they are as originally imported; and that all articles placed in the custody of the customs under this act shall so remain, for inspection and examination, till the fourth day of March next: *Provided also*, That nothing contained in this act shall be so construed as to extend the provisions thereof to any merchandise which under the existing laws would not be entitled to the benefits of drawbacks.

Sec. 2. *And be it further enacted*, That, in all cases where the quantity of merchandise entitled to the benefit of the acts aforesaid shall exceed ten packages, bales, or casks, or where the articles may be in bulk, or otherwise than in packages, bales or casks, the collector of the district where the same may be is hereby authorised to direct that the said merchandise shall not be removed from the warehouse of the owner, but that the same shall be there placed in the custody of a proper officer of the customs, who shall examine the same, and keep them under the keys of the custom house, till the first of April as aforesaid: *Provided*, The collector shall consider the same a safe place of deposite, and that application be made to him for that purpose on or before the twenty-fifth March next.

Sec. 3. *And be it further enacted*, That all articles remaining under the control of the proper officer of the customs, according to the provisions of this act, on the first of April next, and all wines which shall remain in the same manner after the 4th day of March, 1834, shall be subject to no higher duty than would be levied under the act aforementioned, approved the fourteenth of July last; and if any higher duty shall have been paid, such excess shall be refunded, out of any money in the treasury not otherwise appropriated, to the person placing the same in the custody of the customs, and any outstanding bond or bonds which may have been given for duties on the same shall be cancelled; and if a sum equal to the amount of duties levied by the said act of the fourteenth July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the secretary of the treasury shall direct that a debenture certificate or certificates, (the form of which shall be prescribed by him) for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same. The collectors to give the debtors credit on their bonds for the difference between the high and low duties, and to cancel the bonds on payment of the balance.

Sec. 4. *And be it further enacted*, That the secretary of the treasury shall cause the amount of excess duties, as aforesaid, to be ascertained and paid, or the credit given, as the case may be, as soon as practicable after the first of April next; and that he shall be authorised to cause all articles under the control of the proper officers of the customs to be examined; and, where the merchandise may have passed out of the possession of the importer or consignee, to require satisfactory evidence of the transfer or transfers, to identify the same; and to make all other rules and regulations which may be necessary and proper to carry this act into effect.

Sec. 5. *And be it further enacted*, That the secretary of the treasury is hereby authorised and directed to extend relief to all persons whose cases are provided for in this act, who may have been deprived of the benefit thereof in consequence of the collector's not having received his instructions in pursuance of it from the secretary of the treasury.

Sec. 6. *And be it further enacted*, That the 17th section of the aforesaid act of the 14th July, 1832, as far as the same relates to the duty on pulverized or crushed sugar, shall take effect on the 4th day of March of the present year.

☞The following is the section of the law of 1832 referred to. The idea is that it will affect the revenue in the amount of several millions—some say *ten millions* of dollars; and at New York, only, in the sum of five millions.

Sec. 18. *And be it further enacted*, That the several articles enumerated in this bill whether imported before or after the passage thereof, may be put into the custom house stores, under the bond of the importer or owner, and such of said articles as shall remain under the control of the proper officer of the customs on the third day of March, eighteen hundred and thirty-three, shall be subject to no other duty, than if the same were imported, respectively after that day. And if the duties, or any part thereof, on the articles deposited as aforesaid, have been paid previous to the said third day of March, the amount so paid shall be refunded to the person importing and depositing the said articles; *Provided*, That this section shall apply to merchandise in original packages which may be entered, and taken into the possession of the importer or owner, upon condition that the said merchandise be placed under the custody of the proper officer of the customs, and that the same shall remain under his control, on the third day of March next: *And provided further*, That the secretary of the treasury be authorised to prescribe such rules and regulations as may be necessary to carry this section into effect.

An act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports.

*Be it enacted*, &c. That, from and after the thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "an act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one-tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-seven, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one-half of the residue of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted.

Sec. 2. *And be it further enacted*, That so much of the second section of the act of the fourteenth of July aforesaid, as fixes the rate of duty on all milled and fulled cloths, known by the name of plains, kerseys, or Kendal cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per centum ad valorem, shall be, and the same is hereby repealed. And the said articles shall be subject to the same duty of fifty per centum, as is provided by the said second section for other manufactures of wool; which duty shall be liable to the same deductions as are prescribed by the first section of this act.

Sec. 3. *And be it further enacted*, That until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be, and hereby are abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.

Sec. 4. *And be it further enacted*, That in addition to the articles now exempt by the act of the fourteenth of July, one thousand eight hundred and thirty-two, and the existing laws, from the payment of duties, the following articles imported from and after the thirty-first day of December, one thousand eight hundred and thirty-three, and until the thirtieth day of June, one thousand eight hundred and forty-two, shall also be admitted to entry, free from duty, to wit: bleached and unbleached linens, table linen, linen napkins, and linen cambricks, and worsted stuff goods, shawls, and other manufactures of silk and worsted, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, except sewing silk.

Sec. 5. *And be it further enacted*, That from and after the said thirtieth day of June, one thousand eight hundred and forty-two, the following articles shall be admitted to enter free from duty, to wit: indigo, quicksilver, sulphur, crude saltpetre, grindstones, refined borax, emery, opium, tin in plates and sheets, gum arabic, gum senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, tumeric, woad or pastel, aloes, ambergris, burgundy pitch, cochineal, camomile flowers, coriander seed, catsup, chalk, coculus indicus, horn plates for lanterns, ox and other horns and tips, India rubber, unmanufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, vegetables used principally in dyeing and composing dyes, weld, and all articles employed chiefly for dyeing, except alum, copperas, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis and tartaric acids. And all imports on which the first section of this act may operate, and all articles now admitted to enter free from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty-two, from and after that day may be admitted to entry subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law.

Sec. 6. *And be it further enacted*, That so much of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, or of any other act as is inconsistent with this act, shall be, and the same is hereby repealed: *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior or subsequent to the said thirtieth day of June, one thousand eight hundred and forty-two, of any act or acts, from time to time, that may be necessary to detect, prevent or punish evasions of the duties on imports imposed by law, nor to prevent the passage of any act, prior to the thirtieth day of June, one thousand eight hundred and forty-two, in the contingency, either of excess or deficiency of revenue, altering the rate of duties on articles which, by the aforesaid act of fourteenth day of July, one thousand eight hundred and thirty-two, are subject to a less rate of duty than twenty per centum ad valorem, in such manner as not to exceed that rate, and so as to adjust the revenue to either of the said contingencies.

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# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞Mr. *Clay's* corrected speech in favor of his tariff bill, and the brief one of Mr. *Davis* (of Massachusetts), against it, will be found in the present sheet. The high and honorable character of these gentlemen will insure, for both, an attentive perusal. There is another of Mr. *Davis'* speeches that we desire to make room for—and several others: but the "stock" is large, and current things must not be neglected.

It appears by the "National Intelligencer" of Thursday last, that a corrected speech of Mr. *Webster*, (and which, in its order, should have preceded that of Mr. *Clay*), may be expected. We shall insert it, of course.

☞We publish sundry *instructions* from the treasury department with relation to the tariff laws—and are apprehensive that these laws, unless speedily amended, will rest more upon the *interpretations* or instructions of the department, than on the statutes themselves; for it seems impossible that the meaning of the statutes should be generally understood and uniformly applied, without the exertion of an *extraordinary power* in the secretary concerning the revenue, generally, and as to the amount of duties payable on particular articles.* This should not be so. It is the business of the department to execute—not make the law; but things are so conditioned, perhaps, that the law, to be executed, must be settled—*by construction!* The general tariff law of the last session, with the act explaining the 18th section of the act of 1832, and the law suspending the operation of the provisions of the 10th and 12th clauses of the act of 1832, (in which latter the principle of Mr. *Clay's* "compromise bill" was swiftly violated), taken together, present a tangled web, or "Gordian knot," easier "cut" than unravelled or untied.

As to the act concerning the 18th section, we have the following from the "New York Journal of Commerce," It is well ascertained, we think, that there will not be much "surplus revenue" in the present year—unless the importations should be excessive.

*Government deposits.*—We understand the much talked of measure of withdrawing the government deposits from the United States bank has at length been accomplished. What is more remarkable, this has been done, not by the order of the president or secretary of the treasury, but by an order of congress adopted by a very large majority of both houses. And this notwithstanding the house of representatives voted at just about the same time by an equally large majority, that the deposits might safely remain in the bank. If any thing can add to the remarkable character of this remarkable transaction, it is that no other place of deposit has been fixed upon, or is likely to be, and that in fact the very balances have disappeared altogether, having been paid to the merchants as return duties under the 18th section.†

And another New York paper, the Commercial Advertiser, says:—"We are told that the *reduction* of the duty upon iron, has already been followed by a *rise* in the market of 10 per cent. and also that some staple articles of *hardware* have *risen* 20. The market has also advanced in Europe—partly from an increase of consumption there—*but chiefly by the belief that the demand for the foreign article is to be greatly increased in the United States.*

It should be recollected, that the duty on "hardware" was much reduced by the suspension of the provisos above alluded to. We wish that some friend in New York would make *particular* inquiries into the matters just stated, and give us the result of them. That most of the leading articles will rise in price as the duties on them shall be reduced, and the wages of laboring persons diminished—we surely believe, because of the want of an excited and steadily increasing competition. But of this more hereafter. We have carefully obtained and laid aside about thirty specimens of American cotton and woollen goods, with the present fair wholesale cash prices, &c. marked upon them, by one of the oldest and most respectable dealers in them—to be compared with goods of like quality at a future day, that the nullifiers may find out how much they shall have saved by reduced duties!*

The words "*to be continued*" are so offensive, in numerous cases, that we have sometimes incurred the expense of a supplement that we might avoid the use of them; and, when an extra number of pages cannot be given, various exertions are made to pres[illegible] articles from injury by divisions of them. An instance of the latter is now present. We give the reports, resolutions an[illegible] of the *South Carolina convention*, complete, we believe; but an account of the proceedings of that body, with sketches of some of the speeches, are postponed. The parts are separated; but each may be considered sufficiently full in itself.

This convention adjourned on the 18th inst. Among other things, the act further to provide for the collection of duties on imports, is "nullified"—so nullification is *not* dead, though nearly every state, in the United States, has declared itself against that heresy.

A collection of the proceedings had in the several states, on this subject, would be interesting. Perhaps, we shall make one.

☞We have given more than usual attention to foreign articles and news—for a general record of events should be kept. It will be seen that the affairs of Ireland have reached a crisis. They cannot remain as they are—much longer. The British ministry has resolved to preserve the peace of the country, by the operation of laws which are justified only on the "plea of necessity," and nothing is left to the Irish people but a quiet submission to arbitrary edicts, or open organised resistance in arms.

U. S. BANK STOCK, at New York, March 23—110.

PRICES CURRENT—BALTIMORE, MARCH 29.

Flour, best white wheat, $6 75a7 25; Howard street, 5 50—city mills 5 50. Wheat 115a116. Corn 60a62. Clover seed 8 00. Cotton 10a13. Whiskey, 1st proof, 28a28½. Wool—best 45a50; common 25a28, washed; and from 16 to 30, if unwashed. Prime beef on the hoof 5 50a6 25. Oak wood 3 00, hickory 4 50. [*Farmer.*

THE CHOLERA has broken out at Havana, with great violence. The deaths were already from 100 to 150 per day, principally among the blacks. Many had fled from the city—business was completely at a stand, and goods were left at the custom house day after day—the merchants not wishing to take them out. Not many deaths had occurred on board of the vessels in port. Some very respectable white persons, of correct habits and robust frames, had died.

This terrible disease has also appeared at Oporto, and was committing considerable ravages. Several of don Pedro's staff officers had died.

* Some think that the *minimum* on cotton yarn, and cloths, will remain even after 1842, to protect their manufacture; and others contend that *specific duties* will be untouched till then! As an instance, the intelligent editor of the "Nantucket Inquirer" says—"The operation of Mr. Clay's bill upon the article of olive oil is to retain the duty *unchanged* for ten years!" The present duty is 20 cents *per gallon.* If this opinion be correct, iron, coal, spirits, sugar, &c. &c. will remain as they are, "for ten years!" But, we must believe that we are to have *a new tariff every two years* until 1842, in respect to all articles on which the present rate of duty exceeds 20 per cent. on the foreign cost of them. Is the secretary of the treasury to have entire command over the revenue and the tariff, and determine, from time to time, and at all times, what duties shall be collected on this or that article? This power is not conferred, and surely it never will be; but how else are the collectors to know what they shall charge upon cottons subject to the *minimum;* on glass, which pays both a *specific* and an *ad valorem* duty; and on sugar subject to a *specific* duty only—the kinds of each having different values in foreign places?

We have not yet met with any person who pretended to an ability to answer this question, except in referring the whole matter to the secretary of the treasury.

†These payments to the merchants have been since suspended—and claims must be made on the treasury.

*A late Boston paper says—The tariff of 1832, which is now in operation, greatly reduces the duties on some protected articles. It is hoped some competent persons will prepare and publish an exact statement of the reduction on each article, that the nullifiers may know what they save, *for they will never find out by the prices!*



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But we have the cholera nearer home. It continues at Nashville, and in the neighborhood of Gallatin, Tennessee.

Awful catastrophe. The New York Redactor of Saturday contains an article from the Constitutional del Cauca, stating that in the month of July last, while mass was being celebrated in the church of Sigchos, near Tacunga, in the republic of Equador, South America, on the day of the solemn festival *del corpus*, fire was communicated to the building by means of a rocket, and that in the rush of the audience to the door, it became shut, and THE WHOLE CONGREGATION PERISHED IN THE FLAMES *except the curate, who escaped through a window!* The number of lives lost was estimated at more than *five hundred*, besides children.

Another. The ship Martha, arrived at N. Y. on Sunday, fell in with the wreck of a vessel that had been burnt, and 14 dead bodies floating round her.—Picked up some spars, trossel tree of the mizzen mast, on which was written, M. H. Taylor, mate of ship, [the rest obliterated.]

## FOREIGN NEWS.

### *From London papers to the evening of February 5.*

#### GREAT BRITAIN AND IRELAND.

*London, Feb.* 5. This being the day for the delivery of the king's speech, his majesty arrived at the house of lords shortly before two o'clock; and on alighting from his carriage was received by the cabinet ministers and great officers of state.

His majesty immediately proceeded to the robing room, and from thence to the interior of the house of lords. On his majesty taking his seat on the throne, the usher of the black rod summoned the house of commons to hear the royal speech. Shortly afterwards, the speaker, attended by a great number of members, appeared at the bar, when his majesty delivered the following most gracious speech:

"*My lords and gentlemen:*

"The period being now arrived at which the business of parliament is usually resumed, I have called you together for the discharge of the important duties with which you are entrusted. Never at any time did subjects of greater interest and magnitude call for your attention.

"I have still to lament the continuance of the civil war in Portugal, which for some months has existed between the princes of the house of Braganza. From the commencement of this contest, I have abstained from all interference, except such as was required for the protection of British subjects resident in Portugal; but you may be assured that I shall not fail to avail myself of an opportunity that may be afforded me to assist in restoring peace to a country with which the interests of my dominions are so intimately connected.

"I have also to regret that my earnest endeavors to effect a definitive arrangement between Holland and Belgium, have hitherto been unsuccessful. I found myself at length compelled, in conjunction with the king of the French, to take measures for the execution of the treaty of the 15th November, 1831. The capture of the citadel of Antwerp has in part accomplished that object, but the Dutch government still refusing to evacuate the rest of the territories assigned to Belgium by that treaty, the embargo which I had directed to be imposed on the Dutch commerce has been continued. Negotiations are again commenced; and you may rely on their being conducted on my part, as they have uniformly been, with the single view of ensuring to Holland and Belgium a separate existence, on principles of mutual security and independence.

"The good faith and honor with which the French government has acted in these transactions; and the assurances which I continue to receive from the chief powers of Europe of their friendly disposition, give me confidence in the success of my endeavors to preserve the general peace. I have given directions that the various papers which are necessary for your information on the affairs of Holland and Belgium should be laid before you.

"The approaching termination of the charter of the bank of England and of the East India company, will require a revision of these establishments, and I rely on your wisdom for making such provisions for the important interests connected with them, as may appear, from experience and full consideration, to be best calculated to secure public credit, to improve and extend our commerce, and to promote the general prosperity and power of the British empire.

"Your attention will also be directed to the state of the church, more particularly as regards it temporalities and the maintenance of the clergy. The complaints which have risen from the collection of tithes appear to require a change of system, which, without diminishing the means of maintaining the established clergy in respectability and usefulness, may prevent the collision of interests, and the consequent derangement and dissatisfaction which have too frequently prevailed between the ministers of the church and their parishioners. It may also be necessary for you to consider what remedies may be applied for the correction of acknowledged abuses, and whether the revenues of the church may not admit of a more equitable and judicious distribution.

"In your deliberations on these important subjects, it cannot be necessary for me to impress upon you the duty of carefully attending to the security of the church established by law in these realms, and to the true interests of religion.

"In relation to Ireland, with a view of removing the causes of complaint which had been so generally felt, and which had been attended with such unfortunate consequences, an act was passed during the last session of parliament for carrying into effect a general composition for tithes. To complete that salutary work, I recommend to you, in conjunction with such other amendments of the law as may be found applicable to that part of my dominions, the adoption of a measure by which, upon the principle of a just commutation, the possessors of land, may be enabled to free themselves from the burthen of an annual payment.

"To the further reforms that may be necessary, you will probably find that, although the established church of Ireland is by law permanently united with that of England, the peculiarities of their respective circumstances will require a separate consideration. There are other subjects hardly less important to the general peace and welfare of Ireland, affecting the administration of justice, and the local taxation of the country, to which your attention will also be required.

"*Gentlemen of the house of commons:*

"I have directed the estimates for the service of the year to be laid before you. They will be framed with the most anxious attention to all useful economy. Notwithstanding the large reduction in the estimates of the last year, I am happy to inform you that all the extraordinary services which the exigencies of the times required, have been amply provided for. The state of the revenue as compared with the public expenditure, has hitherto fully realised the expectations that were formed at the close of the last session.

"*My lords and gentlemen:*

"In this part of the United Kingdom, with very few exceptions, the public peace has been preserved; and it will be your anxious but grateful duty to promote by all practicable means, habits of industry and good order among the laboring classes of the community.

"On my part, I shall be ready to co-operate to the utmost of my power in obviating all just cause of complaint, and in promoting all well considered measures of improvement. But, it is my painful duty to observe, that the disturbances in Ireland to which I adverted at the close of the last session, have greatly increased.

"A spirit of insurbordination and violence has risen to the most fearful height, rendering life and property insecure, defying the authority of the law, and threatening the most fatal consequences, if not promptly and effectually repressed.

"I feel confident that to your loyalty and patriotism, I shall not resort in vain for assistance in these afflicting circumstances, and that you will be ready to adopt such measures of salutary precaution, and to entrust to me such additional powers as may be found necessary for controlling and punishing the disturbers of the public peace, and strengthening the legislative union between the two countries, which, with your support, and under the blessing of Divine Providence, I am determined to maintain by all the means in my power, as indissolubly connected with the peace, security and welfare of my dominions."

In reading the speech, (says a London paper), the king laid particular emphasis on the passage relating to the disturbed state of Ireland, and was particularly emphatic when he expressed his determination to uphold the union of England and Ireland. The troubles in that kingdom evidently caused much uneasiness. A London paper remarks:—"We have reason to believe that the government have decided upon strong measures being used for the tranquilization of that country; and also that the marquis of Anglesey will return to Dublin."

It does not appear from the speech that any measures of direct interposition, in the affairs of Portugal, are contemplated.

Six hundred unmarried females, (not convicts), have lately been imported into New Holland, from England.

#### TURKEY AND EGYPT.

It is reported that Ibrahim had assented to a cessation of hostilities with a view to a definite arrangement with the sultan, who seems to have accepted the offer of assistance made by Russia.

Commercial letters from Smyrna, to the 6th January, assert that a treaty had been concluded between Russia and the porte, in which the emperor Nicholas agrees to succor the sultan with a fleet, and with an army of 60,000 men.

#### FRANCE.

The accounts from Paris are to February 4th. The naval preparations at Brest continued to be prosecuted with undiminished energy, and some of the ships of war were already in a condition to put to sea.

The army of the north, the head quarters of which were at Compeigne, had been restored to the same footing as that upon which it was placed before its recent entry into Belgium.

Several of the knights templars, have been seen walking the streets of Paris, with their white mantles, ornamented with a red cross.

The Journal du Commerce of Lyons, of the 27th January, says—"Two days ago a mercantile house was opening some bales of cotton, when to the astonishment of those engaged in the operation, there was found in one of them the body of a negro, bent double and carefully packed in the middle of it."

#### SPAIN.

It is said that some partial disturbances in that kingdom had been effectually put down, and that don *Carlos*, (the king's brother), was under arrest in his own appartments.

#### SANDWICH ISLANDS.

We learn with regret that news has been recently received by the way of England, from the South Sea Islands, of a milan-

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choly character. A bloody war has broken out between Tahaa and Raietea, and many lives had been lost. The missionaries had not been able to allay the troubles, and it was feared their "influence was on the decline."

HUNGARY.

The family estates of the princes Esterhazy, who are at the head of the Hungarian nobility, yield an annual revenue of more than two hundred thousand pounds sterling.

LATER NEWS.

*London papers of the 14th and Paris of the 19th Feb.*

*From Great Britain and Ireland* the most interesting intelligence is that which relates to the people of Ireland, in whose favor there has been a sudden and strong manifestation in the house of commons of England. In that body on the 11th, the chancellor of the exchequer having moved the adoption of the answer to the king's speech, Mr. Lalor, and other Catholic members protested against a declaration volunteered in a preceding sitting, that they were prevented by their oaths from legislating on affairs of the church. Mr. O'Connell declared that he had an equal right with any other member to legislate on church affairs, and, if it were not so, he might as well be at once expelled from the house. The reading of the address to the king was interrupted by a motion from Mr. Cobbett, proposing a substitute. The substitute was lost 23 to 323. On the 12th, the address was presented at Windsor, the house having adjourned until 4 o'clock.

On the return of the speaker, ministers and twenty members, who had proceeded to Windsor with the address, the speaker communicated the king's answer in substance as follows: "I thank the commons for their loyal and respectful address, and for the assurance which they give me of their disposition to aid my efforts for the preservation inviolate of the union between Ireland and England, and for the repression of violence; in short, the house may be assured that I shall continue my efforts for the removal of all just grounds of complaint throughout my kingdom." The answer was received with great applause.

The London papers are almost exclusively occupied with the discussion in parliament on the king's speech. Mr. Cobbett has been very loquacious, and has not failed to attempt strengthening his arguments by facts and assertions relative to this country, and has made some egregious errors; for instance, he declared that Washington signed the Declaration of Independence.

Mr. O'Connell denominated the king's speech a "brutal and a bloody speech." The debates are of the most piquant kind, if indeed a broader and blunter word would not be more expressive.

The London Morning Chronicle of the 8th says:

In the house of lords last night, lord King, in moving for an account of the sums paid out of the livings held by ecclesiastical corporations to the clergy, took occasion to deal out some very hard blows to the dignity of the church. After specifying a number of cases in which, notwithstanding the enormous increase in the value of the tithes, the allowances to the officiating ministers by the deans and chapters [the friars and monks of Protestantism], were not more now than they were two hundred years ago—his lordship contended that this was a most scandalous abuse, and ought to have been remedied long ago. But "experience has proved [said his lordship] that from the reformation down to the present time, the protectors of the church had shown themselves more disposed to protect the many abuses of the church, than that a reformation should take place; and they had used all their influence and power, and the first estate of the realm holding seats in that house, to prevent reform. It was their duty to see that there were no abuses, and if there were—and they had not the means to correct them—they ought to apply to parliament. The king's speech recommended an equitable distribution of the revenues. He hoped that this equalization would take place; he hoped that pluralities would be done away with; and he wished in addition, in order that ecclesiastical persons might not neglect their duties, that they might be confined to their spiritual functions."

The bishop of London made a very *naive* defence of the church. When [said the right reverend father in God] the noble lord said that not much had been done, and referred to experience, he seemed to forget that it was only of late years that any expectation had been formed [hear]. The imperfections of the church had only been discovered within a few years; before that time, attention had not been directed to the subject, *and it was only within a few years that an impetus had been given to the clergy.*"

The same paper says:

We have been led, rather prematurely, we own, to anticipate the relation in which the two houses will soon stand towards each other, in order to explain the distrust naturally entertained by many, of the ability of ministers to carry such a bill, regarding the church of Ireland, as may really satisfy the Catholic population of Ireland.

The London Courier of the 6th says:

It is with great regret that we feel it to be our duty to state to our readers that the king's speech which we published yesterday, is generally considered to be very unsatisfactory, not on account of that which is said, but on account of that which is left unsaid.

A large number of notices of motions have already been given regarding the ballot, triennial parliaments, the abolition of slavery, the regulation of infant labor, the abolition of vestry rates in Ireland, the amendment of the Irish jury system, &c. Work is, therefore, carved out in abundance for the house.

At the same time, some important changes in the mode of conducting the house were announced.

On the 12th Feb. the communication from the ministers was made relative to the reductions and changes in the Irish church establishment. The following are the principal alterations proposed by the chancellor. Ten bishoprics to be abolished (after the death of the present incumbents) out of the twenty-two which at present exist. Those to be reduced being—Dromore, Clogher, Kildare, Cork, Waterford, Ossory, Kilmore, Tuam, and two other sees, the names of which did not reach the gallery. This diminution would produce a direct saving of £60,000 per annum, besides what would accrue from the renewal of leases, &c. The entire income of the bishops in Ireland might be calculated at £150,000 a year, that of the deans and chapters at £23,000; as to the benefices, his lordship said that as yet he had no accurate returns, but he would set them down at £600,000; making the entire ecclesiastical income in Ireland about £800,000 per annum. He proposed to abolish the system of first fruits, now applied to the augmentation of poor livings, and to replace it by an annual per centage upon all preferments of £500 a year, at the rate of 5 per cent. £700 to be made to pay 7 per cent. and beyond, 10 per cent. Bishop's sees to be regulated by a different scale; those above £10,000 paying 15 per cent. those below that income 10 per cent. below £6,000 7 per cent. and below £5,000 5 per cent. [illegible] the proceeds of this per centage to be given to augment the incomes of the poorer clergy. Church rates government propose to abolish altogether; deans and chapters likewise to be abolished, or to have the cure of souls attached to them. His lordship then stated various other changes, both present and prospective, in connection with the establishment. The statement was received with much cheering, and was even applauded by Mr. O'Connell.

The chancellor of the exchequer, in bringing forward the measures proposed in Irish affairs, on the 12th, stated that the ministry had, in this undertaking, done their utmost to provide a remedy for all the abuses pertaining to the ecclesiastical laws. They had appointed magistrates, without any distinction of sects, and among the sheriffs and lord lieutenants of counties, there were quite as many catholics as protestants. They sought, in reference to the tithes, he said, to relieve the tenant, without despoiling the landlord; they proposed to distribute the burdens more equitably, and to regulate the contracts between the tenant and proprietor.

As to the taxes for the support of the church, he said the new plan differed entirely from that of the tithes, and was far less onerous to the catholics; the tithes, he said, they were disposed to abolish entirely. (Burst of applause). The change would afford relief to the people of about £70,000 per annum. The deaneries are abolished, and the number of bishops is reduced from 22 to 12, and thus a farther retrenchment of £60,000 would be effected. He concluded by expressing the hope that these measures would vindicate the good intentions of the government, and be approved by the house. (Prolonged applause).

Two other Dutch vessels from the East Indies had been detained and sent into England.

*France.* Paris is in commotion in consequence of duels fought by the friends of the duchess Berri and the republicans. Eleven of these duels took place within two or three days.

It is expected that ministers will require of the chamber of deputies the credit of a million for the dowry of the queen of the Belgians.

*Turkey and Egypt.* The Augsburg Gazette of the 1st Feb. brings the following important intelligence, of the 28th ult. from Vienna:—"According to accounts from Constantinople, which have been received by express, an armistice for 40 days has just been concluded between the Egyptians and the Turks. The negotiations for the final settlement of the differences, are carried on with the utmost ardor by the representatives of the European powers. They have, it is asserted, solemnly protested against any further advance on the part of Ibrahim. Perfect tranquillity prevailed at Constantinople, and the people anxiously wished for peace. The exchange of couriers between Paris and Constantinople, is exceedingly active."

Letters from Bucharest to the 29th January, announce the approaching arrival of a Russian corps d'armee of 25,000 men, in the principalities. Its object is no doubt provisionary, and intended to give weight to the offered mediation of Russia.

*Portugal.* Portsmouth, (England), Feb. 6. This day arrived the Osprey cutter, Abbinet, master, with wounded and passengers from Oporto. I learn by one of them, that a severe affair took place on the 24th ult. by a part of the army embarking in boats to attack St. John's, and two forts on the Douro. The troops engaged were 1,400 English, 700 French, and three regiments of Cacadores, under colonel La Place. They were completely successful, driving the Miguelites by the bayonet. One of the forts mounted eight guns. They retained possession; took some pipes of wine. Pedro's loss is very great—850 killed and wounded—15 officers. Colonel Bacon commanded the cavalry. I am grieved to learn that the severely wounded—in fact, those who cannot help themselves—are left to perish; such is the miserable state of the hospital staff.

Pedro's army suffers for want of provisions and clothing. The surf is so great, that two ships are now off with provisions,

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and have been for the last week. Captain Davis who went to join, is arrived by the Osprey.

My informant saw a French ship, with 400 quarters of wheat, sink off St. Johns.

*Spain.* News had been received at Paris of the very unsettled state of affairs in Spain. The Carlists, it is said, are to make a stand against the government so soon as they shall have obtained a sufficient quantity of arms, ammunition, &c. Should Ferdinand resort to the more liberal system of government, which, it is said, he has already evinced a strong desire to carry into effect, the revolutionists will stand but little chance.

The Indicateur, of Bordeaux, gives the following extract of a letter of the 31st Jan. from Madrid. "M. Zea Bermudez has just concluded a treaty with sir Stratford Canning, in virtue of which Donna Maria da Gloria is to be acknowledged absolute queen of Portugal. Her husband is to be chosen from the house of Naples. By the same treaty, the cabinets of Paris and London have engaged to acknowledge the young princess of Spain, whose right to the crown is to be established by the cortes, which will assemble on April 1."

*Holland and Belgium.* There is much talk about projects and counter projects, for settling the matters in dispute between these kingdoms—but there is no appearance of an adjustment of them.

YET LATER NEWS.

*London papers to the 19th Feb. inclusive.*

*Great Britain and Ireland.* On the 15th Feb. earl Grey introduced a bill "for the more effectual suppression of local disturbances and dangerous associations in Ireland." The "N. Y. Commercial Advertiser" gives a synopsis of this bill, and says—"It will be perceived that all power is committed to the lord lieutenant, and that the bill is framed with such precaution as to leave very little chance of evading it. That it is a violation of the British constitution is evident; and indeed it is admitted so to be by lord Grey; but the public safety is held to be of paramount authority. Courts martial are established in the disturbed districts—their proceedings and punishments are summary and without appeal—the habeas corpus act suspended—and all persons required to remain within their houses between sunset and sunrise, on pain of being sentenced to transportation. This brings us back to the days of William the conqueror, when the 'curfew toll'd the knell of parting day:'—but perhaps the present condition of Ireland may render such severe enactments as necessary now, as that of England did in the days of the Normans."

Earl *Grey's* speech in favor of this bill is also inserted. The condition of Ireland as described by him, (and we fear, too truly), is awful; and he justified the bill on the principle *salus populi suprema lex!* The duke of *Wellington* warmly supported the general provisions of the bill—he considered them "imperatively necessary." So did lord *Brougham*—he said, that "*the crown was an usurper instead of a governor, if it claimed allegiance without granting protection.*" On the 18th, the bill was read a second time, *nem. con.* [O'Connell has placed Ireland upon the alternative of abject submission or open rebellion; and, at the cost of the people, may find that it was much easier to raise an excitement than to direct it. The murders and robberies, and all sorts of outrages which so generally prevail, must be checked.* He had however threatened that, if the bill passed, he would use his influence to cause a demand for gold, on all the banks—which created some alarm].

Mr. *Cobbett* seems to be making one or more speeches every day—and braves all attempts to stop him.

The ministers persist in carrying out their projects relative to slaver yin the West Indies—[concerning which we intend to pu blisha considerable collection of articles.]

*Holland and Belgium.* Much excitement prevailed in the latter, because of the regulations established by the king of Holland for the navigation of the Scheldt. It was believed that England and France would open the navigation by force, unless these regulations were speedily withdrawn. Holland exacts a transit duty on the cargoes of all vessels passing her forts. [Other accounts say that no tolls are demanded.]

*Turkey and Egypt.* Ibrahim had gained another victory over the Turks and made himself master of the magazines of ammunition and provisions which had been collected at Askhir. Resistance of his arms seemed at an end—in Asia, at least.

*Portugal.* The government has given satisfaction for firing upon a French brig-of-war, at the mouth of the Tagus. The French consul forced his way into the chamber of the duke of Cadaval, after midnight, and compelled him to sign a paper which was presented, in his bed, being an invalid—refusing to depart without it!

*To exemplify the condition of Ireland, Mr. Stanley, (in the house of commons), noticed the two counties in which the system of agitation commenced, thus—

"The two counties are Kilkenny and the Queen's county. In Kilkenny alone, within the last twelve months, there have been 32 murders and attempts to murder, 34 burnings, 512 burglaries, 36 acts of houghing of cattle; and the number of illegal notices and violent and serious assaults, by which I mean assaults attended with danger to life and limb, has been 170. In Queen's county the number has been even more. There have been sixty murders or attempts to murder; burglaries, 626; malicious injuries to property, 115; and serious assaults upon individuals, 209."

LATEST NEWS.

*London papers to the evening of the 22d Feb. inclusive.*

*Great Britain and Ireland.* The money market had assumed more activity, and prices had advanced. Consols 87¼ to 87⅜. Belgian stocks had risen 2 per cent.

Earl Grey's bill relative to disturbances in Ireland, was agreed to in the house of lords on the 21st Feb.

The house of commons had resolved to meet at twelve at noon, for the reception of petitions and the transaction of private business, and adjourn at 3 o'clock. The regular sessions will commence in the evening, as heretofore.

Great agitation was manifested at Dublin on the 20th, in consequence of the suppression bill. The trades and the volunteers had suspended their political operations to deliberate on their personal security. A great general meeting was to take place the next day. A run had been made upon the bank of Ireland for gold, but not to a great extent.

A letter from Mr. O'Connell had been published in Dublin—speaking in the most severe terms of earl Grey's bill—exhorting the people to respect the laws, but to present respectful petitions against the measures proposed.

*Spain.* The king and queen appear to be successful in their measures—and the Carlists seem to be down.

*France.* Nothing important is mentioned as having happened in this kingdom. A large reduction of the army is still spoken of.

*Holland and Belgium.* Some new negotiations are mentioned concerning the affairs of these countries! The reports are not worth repeating.

*Turkey and Egypt.* Letters from Alexandria of the 10th Jan. say that the pacha was fitting out a fleet to take possession of Smyrna—he had not then heard of the armistice which his son had granted to the sultan. He was apprehensive that the English and French might interfere, and prevent his occupation of that rich and important city.

A Russian vessel had arrived at Constantinople with a cargo of seventy beautiful slaves!

*Russia.* Private letters from Petersburg say the influenza was raging there. It is affirmed that above 100,000 persons were suffering under it at the same time, and a still greater number in Moscow, where the theatres are closed.

*China.* The late rebellion seems nearly subdued. Le, governor of the Canton province, had been degraded and sent to Pekin, because of this rebellion.

*The Falkland Islands.* Accounts from Monte Video, of Jan. 18, say—The schr. Sun, of New London, has arrived here from the Falkland Islands, having been ordered off by the Buenos Ayrean schr. Sarandi. The captain says seals were scarce. The Sarandi has, in her turn, been ordered off by the British sloop of war Clio, and has arrived at Buenos Ayres. So there is no longer any danger of war between the United States and Buenos Ayres.

## LIVE OAK.

*Report of the secretary of the navy upon live oak.*

Every thing which goes to throw light upon our permanent national resources, must at all times engage the attention of our intelligent citizens. For some time past, we have intended to present to our readers a synopsis of the extremely valuable report communicated to the house of representatives by the secretary of the navy relative to live oak—that unrivalled material which forms the basis of our naval strength—but have hitherto been prevented by the pressure of other matters growing out of the proceedings of congress.

This report, drawn up in compliance with a call from the house, contains a mass of important information as to the construction of vessels of war, which required a profound knowledge of the subject as well as great pains to concentrate and present in a form so striking and available.

The commencement of this report embodies all the information which has been obtained as to the extent of the supply of live oak both upon public and private lands. The amount of this supply is stated by the secretary to be about 8,000,000 cubic feet at a medium calculation of 50 feet per tree. The elements of this computation are given in the appendix in a tabular form.

One of the objects of the call was to obtain the views of the secretary upon the best mode of securing the live oak timber growing upon public lands from being plundered. The remedy proposed by him is both simple and effectual. He recommends that provision be made by law that all masters of vessels having live oak on board on private account, before they are admitted to clearance at the custom houses, shall prove that the timber was taken from private lands. This plain expedient strikes us to be worth more in effecting the object, than thousands upon thousands of dollars expended in "preventive service," and has been adopted by congress in the act for the gradual improvement of the navy.

Preliminary to the settlement of the question of the adequate supply of this material for the future wants of the navy, the secretary has presented a succinct view of the past consumption—the amount now in depot at the various yards—on the stocks—afloat, &c. which of itself forms the most satisfactory history of the rise and progress of the naval power of the United States that we have before seen. All who feel an interest in this subject will find the leading facts relative to the construction of those ships, whose career of glory has shed so much lustre upon the fame of our gallant seamen, stated in a condensed but clear manner.

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As recourse will undoubtedly be had to the report itself, the extent of which excludes it from our columns, by all those who are inclined to examine this subject of supply, we must content ourselves with hastily glancing at some of its results, and recommending the report as a document of great merit, which throws strong light upon this subject, heretofore regarded as extremely obscure and difficult of satisfactory explanation.

The whole amount of live oak timber employed in the construction of public vessels since 1797, is stated at 974,363 cubic feet. Of this quantity, the vessels now in commission contain 165,480 feet; vessels in ordinary, 322,633 feet; ships on the stocks, 354,000 feet; leaving a deficit of 132,250 feet, which is thus accounted for: 8,000 feet were sold by order of congress in 1801; 68,375 feet were captured by the enemy during the late war; 44,500 feet were burned at the navy yard in this city in 1814; 3,375 feet have been lost by shipwreck; and 8,000 feet by natural decay.

The stock of live oak now in *depot* at the several yards, purchased for building ships under the acts for the gradual improvement of the navy, is 431,845 cubic feet. The aggregate purchases of live oak, under the annual appropriations for repairs, have amounted to 168,000 cubic feet.

The quantity of live oak timber required for the frame of a ship of the line, is estimated at 34,000 cubic feet; for that of a frigate of the first class, 23,000 feet; for that of a frigate of the second class, 18,000 feet; for that of a sloop, 8,000 feet; and for that of a schooner at 1,800 feet.

Of the amount of live oak timber estimated as growing upon public and private lands, one-fourth is estimated as suitable for ships of the line; one-fourth for frigates, and one-half for sloops and schooners.

For the ordinary repairs of the live oak frames of vessels in commission, less than one per cent. of timber originally employed is required—for replacing extraordinary losses by fire, shipwreck and great decay, 5 per cent. is estimated—so that 6 per cent. of the live oak timber of which the frames of our vessels are constructed is necessary to keep our naval force entire. This will require annually 1,700 cubic feet for ordinary repairs, and 8,500 feet to replace extraordinary losses upon the force in commission. To cover the repairs which may be required to keep up all our vessels both in ordinary and in commission, it is estimated that about 27,000 feet per annum will be sufficient. The annual purchases under the appropriations for the gradual improvement of the navy for the last ten years have been 33,000 feet, which is to be exclusively applied to building new vessels. The present system will, therefore, require about 60,000 cubic feet per year, which may be furnished at a medium calculation by about 1,200 trees per annum.

There have been already reserved from sale 67,417 acres of live oak timber lands. The secretary recommends a further reservation of 100,000 acres, which would secure an ample supply for the demands of the naval service, both for repairing old and building new vessels upon the present system, forever.

The calculations upon this subject are elaborate, and apparently conclusive. No American citizen can go through this document without feeling the highest gratification at the survey of our naval resources, which it so ably developes.

[*Washington Globe.*

## TREASURY INSTRUCTIONS.

CIRCULAR TO COLLECTORS, NAVAL OFFICERS AND SURVEYORS.

*Treasury department, comptroller's office, March* 7, 1833.

SIR—You will receive, herewith, for your government, the following acts passed at the last session of congress, viz:

1. "An act to explain an act entitled 'an act to reduce the duties on coffe, tea and cocoa,' passed the 20th May, one thousand eight hundred and thirty."

2. "An act to explain and amend the 18th section of 'an act to alter and amend the several acts imposing duties on imports,' approved the 14th July, 1832."

3. "An act establishing a port of entry and delivery at the village of Fall River, in Massachusetts, and discontinuing the office at Dighton."

4. "An act to explain and amend the act to alter and amend the several acts imposing duties on imports, passed the 14th July, 1832, so far as relates to hardware and certain other manufactures of *copper* and *brass*, and other materials."

5. "An act to modify the act of the 14th July, 1832, and all other acts imposing duties on imports."

The third section of act No. 2 contains the following provisions, viz:

"If a sum equal to the amount of duties levied by the said act of the 14th July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the secretary of the treasury shall direct that a debenture certificate or certificates, the form of which shall be prescribed by him, for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same. The collectors to give the debtors credit on the bonds for the difference between the high and low duties, and to cancel the bonds on payment of the balance."

To carry these different provisions into effect, you are, when the importer deposites the goods, to credit his bonds with the difference between the high and low duties, and if any excess shall then appear to have been paid, such excess is to be refunded to him at the treasury; but if, upon giving such credit, the full amount of duties according to the existing laws will not have been paid, the bonds are to be cancelled only on the payment of the balance thus remaining to be paid.

But in case of goods being deposited by a person other than the importer thereof, and a sum equal to the amount of duties levied by the said act of the 14th July, shall not have been collected, and the bond or bonds given shall amount to more than the duties, imposed by said act, instead of giving a credit on the duty bonds of the importer, for the difference between the high and low duties, a debenture certificate is to be issued to the person depositing such goods for such difference, the form of which, marked A, approved by the secretary of the treasury, is herewith transmitted.

From this form you will perceive that the debentures will be payable only in case the duty bonds on which they may be predicated, shall be paid.

The same principle is to govern in the case of goods heretofore liable to duty, but which, under the act of the 14th July, 1832, will be free.

If such goods be deposited by the importer, any duties which may have been paid thereon, are to be refunded to him at the treasury, and the bonds for the balance of the duties (if any) are to be cancelled; and if such goods be deposited by a person other than the importer, and no duties thereon have been paid, he is to receive debenture certificates for the whole, payable at the same times respectively at which the bonds given for the duties will become payable: but if a part of the duties were paid, then such part is to be refunded to the person who may have deposited the goods, and debenture certificates for the balance of the duties are to be granted to him, payable as before mentioned.

The 3d section of act No. 2, also contains a provision according to which goods deposited and remaining in the custom house stores until the 1st of April next, will be entitled to the benefit of the 18th section of the act of 14th July, 1832, and if any higher duty shall have been paid thereon than would have been levied under the last mentioned act, such excess is to be refunded out of any money in the treasury not otherwise appropriated, to the person who may have placed the same in the custody of the customs.

The applications for a return of such excess of duties, as well as for other duties to be refunded, are, of course, to be made to the treasury, and to substantiate the claims, a certificate of the custom house officers is to be produced, agreeably to the enclosed form, marked B.

When goods which have been or which shall be deposited for the benefit of the 18th section of the act of the 14th July, 1832, by persons other than the original importers thereof as authorised by the accompanying act No. 2; the identity is to be established by satisfactory evidence of the transfer or transfers for your government, in relation to which the secretary of the treasury directs that the regulations prescribed by law, when goods are exported for the benefit of drawback by persons other than the original importers thereof, be observed.

Information having been received from sources entitled to entire confidence, that impositions have been practised, and will continue to be practised, on the revenue, by invoicing and entering the articles known by the names of "*summer cloth*," and "*brochellas*," under the name of "*worsted stuff goods*," when, according to the materials of which they are both composed, (say worsted or *combed wool* and *cotton*) they are not entitled to that classification, but are liable to the *woollens duty*, it becomes necessary that measures be adopted at the custom houses, in the examination and inspection of such goods, to detect and prevent impositions of the kind in future.

In compliance with instructions from the secretary of the treasury, you are requested to refund the discriminating duties of tonnage which have been levied by you on Mexican vessels since the 5th April, 1832, the date of the president's proclamation, directing the treaty between the United States of America and the United Mexican States, to be fulfilled.

It is deemed proper to take this occasion to communicate to you the following decisions of this office, viz:

1. That in estimating the value of *wool unmanufactured*, at the place of exportation—to the actual cost, if the same shall have been actually purchased, or the actual value, if the same shall have been procured otherwise than by purchase, at the time and place, when and where purchased, or otherwise procured, or to the appraised value, if appraised, are to be added *all charges*, except insurance, and the weight is to be regulated with reference to the pound weight as known and established in the United States. If it shall be proved to your satisfaction, that there is any difference between the pound weight in the United States and that of the foreign country of exportation, such difference is to be taken into view in the computation of the value of the wool. If the value of *unmanufactured wool*, estimated in the manner thus prescribed, shall exceed eight cents per pound, it will be liable to duty, and vice versa, if it does not exceed that sum per pound. An actual weighing at the time of arrival, is considered necessary in all cases, in order to ascertain whether the wool will or will not be liable to duty.

2. That an article called "*fancy coral*," in thin uneven pieces, about a quarter of an inch in length, with a hole midway between the two ends, is not considered as coming under the denomination of "*beads*," in contemplation of law, and if not entitled to the general exemption from duty of "*coral*," is entitled to such exemption as an article not enumerated in any law, and heretofore liable as such, to an ad valorem duty of 15 per cent. The circumstance of such *coral* being strung, is not considered as placing it upon a different footing.

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3. That *coral beads* are liable to an ad valorem duty of 15 per cent. as "all other *beads*, not otherwise enumerated."

4. That window blinds, made of split rattans, are liable to an ad valorem duty of 15 [25] per cent. as manufactures of wood.

5. That all articles composed entirely of *silk* and *linen*, are entitled to an entry as "*manufactures of silk*, or of which *silk* shall be a *component* part."

6. That all *iron chains*, which from the form and thickness of the links, are suitable for, and are generally used for *cables*, whether of large or small vessels, are to be subjected to the specific duty of 3 cents per pound.

7. That *goat's* and *camel's hair camlets*, are entitled to an entry at 15 per cent. being considered as coming under the general classification of "*cashmere* or *thibet*," in contradistinction to the classification of "*merino shawls* made of *wool*, and all other manufactures of *wool*, or of which wool shall be a component part."

8. That shawls, the body composed of *silk* and *worsted*, with the figures on the border formed with *carded wool*, are considered to be entitled to be placed under the classification of "*shawls* and other manufactures of *silk* and *worsted* at an ad valorem duty of 10 per cent.

9. That shawls of worsted or *combed wool* and *cottons*, are liable to the *woollen's* duty.

10. That the articles called *brown rolls*, or heedens, dowlas, platillas, creas and bretagnes, are entitled to an entry at an ad valorem duty of 15 per cent."

11. That the following articles are liable to an ad valorem duty of 25 per cent. viz: black linens, Russia sheetings, linen diapers and damasks, damask table cloths and napkins, linen sheeting, linen drillings for pantaloons, linen lawns, called long lawns, linen threads, Irish linen shirtings and estomilles.

12. That sail needles, sack and yarn needles, darning needles, bent packing needles, shoe maker's, glover's and saddler's netting and tambouring needles, and all similar needles, are embraced by the general exemption of "*needles*." Bodkins not included.

13. That so much of the act of 20th April, 1818, as requires wines and distilled spirits to be deposited in the public stores, to be entitled to drawback, is considered to be still in force; but that the terms of credit therein allowed are virtually repealed by the 5th section of the act of the 14th July, 1832, entitled "an act to alter and amend the several acts imposing duties on imports," the provisions in this respect, in the last mentioned act, being so repugnant to those in the former, that both cannot stand well together, and have a concurrent efficacy.

It may be proper to observe, however, that this decision is applicable only to the importations of wines and distilled spirits, which have been made since the 3d instant, and which may hereafter be made.

It is understood that large importations were made of the articles known by the name of plains, kerseys and Kendal cottons, and deposited in the custom house stores for the benefit of the reduction of duties which was to have taken effect after the 3d day of the present month, as authorised by the act of the 14th July, 1832, already referred to; and that orders for a large quantity of said goods have been given upon the faith that after the 3d instant they would be admitted to entry at an ad valorem duty of 5 per cent. but that under the act entitled "an act to modify the act of July, 1832, and all other acts imposing duties on imports," which, so far as relates to these particular kind of goods, having taken effect on the 2d of the month, and raised the duty thereon to 50 per cent. the importers will be compelled to advance duties, (say the difference between the higher and the lower rates), for which, upon every principle of justice and good faith, they conceive, congress will pass a law to have refunded to them, and that such advance can be prevented only in case the treasury department can extend the time for the payment of the duties on the goods in question.

It is regretted that such will be the operation of the two acts mentioned; but it is not competent for the treasury, in any case, to extend the time of payment beyond that, at which, according to law duties on goods become due and payable.

With a view, however, to facilitate any application which may be made to the next congress for relief, it would be advisable to keep a particular account of these goods, the names of the importers, the dates of payment of the duties, and the difference between the higher and lower amount of duties.

It will naturally suggest itself to you, that you are not to include in such account any goods which you are not perfectly satisfied are of that description and fabrics as to have entitled them to an entry at five per cent. in case the act, in relation to them, of 1833, had not repealed that of 1832.

Such plains, kerseys and Kendal cottons as were imported prior to the 2d instant, will be liable to the payment of the rates of duties in force at the time of importation; but if such rates be greater than the rates fixed by the act of 2d instant, and the plains, kerseys and Kendal cottons be deposited in the custom house stores as prescribed by law, they will be entitled to the benefit of the 18th section of the act of 14th July, 1832.

Respectfully, J. ANDERSON, *comptroller.*

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*Treasury department, comptroller's office, March* 19, 1833.

SIR—It is deemed proper to inform you, that so much of the 27th section of the supplemental collection law of 1st March, 1823, as is not repugnant to, and consequently is not repealed by the 5th section of the tariff act of 14th July, 1832, is considered to be still in force.

Accordingly, if the duties on other goods than "*manufactures of wool*, or *of which wool is a component part*," imported into the U. States in any ship or vessel, *on account of one person only* or of *several persons jointly interested*, exceed two hundred dollars, and are paid in cash, a discount at the rate of four per centum per annum is to be allowed, for the respective periods of three and six months, from the dates of importation, to which the tariff act of 1832 restricts the terms of credit for the duties on goods other than *manufactures of wool*, &c.

Although the duties on *manufactures of wool*, or of *which wool is a component part*, may be paid in cash, still no discount thereon can be allowed, the 6th section of the tariff act of 1832, expressly denying the right in such case.

Instead of paying the duties, however, on such goods in cash, it is optional with the importer to deposit the goods in the public stores on the terms and conditions specified in the 6th section referred to. Respectfully,

JOSEPH ANDERSON, *comptroller.*

*To Jas. N. Barker, esq.*

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*Treasury department, March 21st*, 1833.

SIR—The department has instructed the comptroller upon both the points arising under the late tariff act, and upon which information is desired in your letter of the 18th instant, who will forthwith communicate the same to you and the other collectors. I am very respectfully, your obedient servant,

LOUIS McLANE, *secretary of treasury.*

*James N. Barker, esq. collector of the customs, Philadelphia.*

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*Treasury department, comptroller's office, March* 21, 1833.

SIR—The conflicting provisions in the 21st and 24th articles of the second section of the tariff act of 14th July, 1832, the former subjecting "all manufactures of hemp or *flax*, except yarn and cordage, tarred and untarred, ticklenburgs, osnaburgs and burlaps, not otherwise specified," to an ad valorem duty of 25 per cent. and the latter authorising the admission to entry of "bleached *and* unbleached *linens*," at an ad valorem of 15 per cent. have rendered the meaning of the act somewhat obscure, and given rise to different opinions as to the correct construction of it.

The subject, however, having recently been brought to the consideration of the secretary of the treasury, he has decided that the provisions in the 21st article are to be construed in such manner as that the other provisions of the act may be effectual, and therefore not to embrace "*bleached and unbleached linens*."

All articles therefore, which in the known commercial sense, and in the usage of trade, have acquired the distinct appellation of linens, *bleached* or *unbleached*, are to be admitted at a duty of 15 per cent. Irish linens are believed to be of this character, and are to be charged with duty accordingly.

The secretary of the treasury has also decided that the last proviso in the 1st section of the act of 2d instant, entitled "an act to explain and amend the eighteenth section of 'an act to alter and amend the several acts imposing duties on imports,' approved the 14th July, 1832," is to be considered as having reference to the *time of importation*, and not to the *amount of duties*—consequently, goods on which the duties do not amount to $50, are to be considered to be entitled to the benefit of the 18th section of the tariff act of 14th July, 1832, provided three years from the date of their importation have not elapsed, and the other conditions, entitling them to drawback, be complied with.

I embrace the occasion to state, that *palm leaves* used in the manufacture of *palm leaf hats*, &c. copper ore, and fishing lines, made of *Manilla grass*, are considered to be free of duty:—that shawls of silk and thibet are to pay duty as "manufactures of silk, or of which silk is a component part"—and that bodkins composed wholly or chiefly of silver, are to pay 12½ per cent. but if made of iron, steel, brass, &c. or of which either of these metals is a component material, they are to pay 25 per cent.

Respectfully, JOS. ANDERSON, *comptroller.*

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*Treasury department, comptroller's office, March 25th*, 1833.

SIR—In compliance with the request of the secretary of the treasury, the following instruction received from him, is communicated for your government, viz.

"The provision in the 14th section of the act of 14th July, 1832, intended as a substitute for that of the 4th section of the law of the 28th of May, 1830, requires the same specification in the *entry*, as was by the last mentioned act required in the *invoice*. To carry into effect the provision of that section, the form of the entry should be so framed as to refer specially to the goods enumerated in the invoice, which should be annexed thereto as a part of the entry. This will be considered as a virtual compliance with the requisition of the 5th section of the act of the 28th May 1830, requiring the invoice to be filed. Should the importer, however, prefer inserting the entire invoice in the entry, he will be at liberty so to do; but in such case the invoice must be filed as required by the act before stated." Respectfully,

JOS. ANDERSON, *comptroller.*

*James H. McCulloch, esq.*

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*Treasury department, comptroller's office, March 23d*, 1833.

SIR—I have received your letter of the 21st inst. It appears to me that if at the time of deposition of goods after the 14th July, 1832, they were entitled to drawback, they will by the regulations of law in other respects being complied with, be entitled to the benefit of the 18th section of the tariff act of that date. Respectfully, JOSEPH ANDERSON, *comptroller.*

*James N. Barker, esq. collector*, &c.

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SOUTH CAROLINA CONVENTION.

This convention adjourned on Monday, the 18th inst. We have prepared a detailed notice of the proceedings, speeches, &c. but it must be postponed for the next REGISTER. The annexed are the chief papers and acts which *must* be recorded:

The following was transmitted to the convention on the first day of its sitting—

*Executive department, Columbia, March* 11, 1833.

*To James Hamilton, jr. esq. president of the convention of the people of South Carolina.*

SIR—I herewith transmit you a letter which I have received from the hon. Benjamin Watkins Leigh, commissioner from the state of Virginia, which, together with the correspondence in relation to Mr. Leigh's mission, and the resolutions of Virginia, of which he is the bearer, you are requested to lay before the assembly over which you preside. I am, very respectfully, your obedient servant, ROBERT Y. HAYNE.

*Columbia, March* 11.

SIR—Having at our first interview, presented to you the resolutions of the general assembly of Virginia of the 26th January last, on the subject of federal relations, I have now to request your excellency to lay these resolutions before the convention of the people of South Carolina, which, at my instance, has been re-assembled for the purpose of considering them.

The general assembly of Virginia has expressed in its own language, its sentiments concerning the unhappy controversy between the state of S. Carolina and the federal government, and its motives, its views and object, in making this intercession. In these respects, therefore, the commissioner it has thought proper to depute to S. Carolina, can have nothing to add, and nothing even to explain. The duty presented to him is simple and precise. He is instructed to communicate the preamble and resolutions to the proper authorities of this state, and "to give to them such direction as in his judgment may be best calculated to promote the objects which the legislature of Virginia has in view:" and this part of his duty he has already, by the prompt and cordial compliance of those authorities, had the happiness to accomplish, to the entire satisfaction (as he has reason to believe) of the legislature of Virginia. And he is further instructed and "authorised to express to the public authorities and people of this our sister state, the sincere good will of the legislature and people of Virginia towards their sister state, and their anxious solicitude that the kind and respectful representations they have addressed to her, may lead to an accommodation of the differences between this state and the general government."

Virginia is animated with an ardent and devoted attachment to the union of the states, and to the rights of the several states, that compose the union: and if similarity of situation and of interests naturally induce her to sympathise, with peculiar sensibility, in whatever affects the prosperity and happiness of South Carolina and the other southern states, she knows how to reconcile this sentiment with her affection and duty towards each and every other state, severally, and towards the United States. She is most solicitous to maintain and preserve our present institutions, which, though they partake of imperfections, from which no human institutions can ever be exempt, and notwithstanding some instances of mal administration or error to which all governments are liable, are yet, as she confidently believes, the happiest frame of polity that is now or ever has been enjoyed by any people—to maintain and preserve the *whole, and every part of these institutions*, in full vigor and purity; to uphold the union and the states; to maintain the federal government in all its just powers, administered according to the pure principles of the constitution, without the least departure from the limitations prescribed by the compact, fairly understood, and the state governments in all their rights and authority, as absolutely necessary to the good government and happiness of their respective citizens. Consolidation and disunion are alike abhorrent from her affections and her judgment, the one involving, at the least, a forfeiture of the manifold advantages and blessings so long and so generally felt and acknowledged to have been derived from the union; and the other having an apparent, perhaps inevitable tendency to military despotism. And she is apprehensive—for reasons too obvious to need particular mention—that in case any differences between the federal government and the states, shall ever be brought to the arbitrament of force, the result, let it be what it may, must effect such a change in our existing institutions as cannot but be evil, since it would be a change from those forms of government which we have experienced to be good, and under which we have certainly been, in the main, free, prosperous, connected and happy. Therefore, in the present controversy between the federal government and the state of South Carolina, she deprecates any resort to force by either, and is sanguine in the hope, that, with proper moderation and forbearance on both sides, this controversy may be adjusted, (as all our controversies hitherto have been) by the influence of truth, reason and justice.

Virginia remembering the history of South Carolina, her services in war and peace, and her contributions of virtue and intelligence to the common councils of the union, and knowing well the generosity, the magnanimity, and the loyalty of her character, entertained the most perfect confidence that these sentiments so cherished by herself, would find a response in the heart and understanding of every citizen of this state. And that confidence induced her intercession on the present occasion. She has not presumed to dictate, or even to advise. She has addressed her *entreaty* to the congress of the United States, to redress the grievance of which South Carolina complains. And she has spoken to South Carolina also, as one sovereign state, as one state of this union, ought to speak to another. She has earnestly, affectionately, and respectfully, *requested and entreated* South Carolina, "to rescind or suspend her late ordinance, and to await the result of a combined and strenuous effort of the friends of union and peace, to effect an adjustment and conciliation of all public differences now unhappily existing." She well hoped, that this state "would listen willingly and respectfully to her voice;" for she knew and felt that South Carolina could not descend from the dignity, and would nowise compromit the rights of her sovereignty, by yielding to the intercession of a sister state.

If, therefore, no other considerations could have been presented to the convention of the people of South Carolina, if no other motives for compliance could have been suggested than the intercession of Virginia, offered in the temper and manner it has been, and the interest we all have in the union, the common attachment we feel for our *tried* republican institutions, the aversion from civil discord and commotion, and the wise and just dread of change of which no sagacity can foresee the consequences—it might have been hoped and expected, that the convention would rescind, or at least suspend for a time, the late ordinance.

But, in truth, the convention comes now to a consideration of this subject, under a state of circumstances, not anticipated by Virginia when she interposed her good offices to promote a peaceable adjustment of the controversy between this state and the federal government. There has been made that "combined and strenuous effort of the friends of peace and union, to effect an adjustment and conciliation" of this controversy, the result of which South Carolina was requested and expected to await —and that effort, it is hoped, will prove successful. The recent act of congress, "to modify the act of the 14th July, 1832, and all other acts imposing duties on imports," is such a modification of the tariff laws as (I trust) will leave little room for hesitation on the part of the convention of the people of South Carolina, as to the wisdom and propriety of rescinding its ordinance.

Forbearing, therefore, to enter at large into the many and forcible considerations of justice and policy, which, independently of this measure of congress, might, I humbly conceive, have sufficed to induce the convention to suspend, if not to rescind the ordinance, I shall rest in the hope, that the wisdom of the convention will adopt, at once, the course which the dignity and patriotism of South Carolina, her attachment to the union, so constantly expressed, and manifested by her deeds, her duty to herself and towards her sister states, and (I hope I may add without presumption) her respect for the intercession of Virginia, shall dictate to be proper; and that that course will lead to a renewal of perfect harmony.

Sensible as I am, how little any effort of mine has or could have contributed to the result I now anticipate, I shall be well content with the honor of having been the bearer of the resolutions of Virginia, and of a favorable answer to them—happy in being the humblest instrument of such a work.

I have the honor to be, with profound respect, your most obedient serv't, B. W. LEIGH.

*To his excellency Robert Y. Hayne, governor of South Carolina.*

[*From Mr. Leigh to the governor of Virginia.*]

*Columbia, March* 12, 1833.

SIR—The convention of the people of South Carolina met yesterday, in pursuance of the proclamation of the president of that body. As it had been reassembled at my instance, for the purpose of considering the resolutions of the general assembly of Virginia, on the subject of the controversy between this state and the federal government, I addressed a letter to governor Hayne, requesting him to communicate those resolutions to the convention, and indicating, in general terms, the reasons that induced this intercession on the part of Virginia, the light in which her interposition was to be regarded, and the grounds on which a compliance with her request, that the ordinance of the convention, passed at its former session, should be rescinded or suspended, was wished and expected. The actual state of things, produced by the recent measures of congress, redered it unnecessary, in my judgment, to exhibit, at large, the various considerations of justice and policy, which, without regard to those measures, might have sufficed to recommend the course proposed by Virginia, to the good sense and patriotism of the convention; and enabled me to avoid many topics of peculiar delicacy, which a regular discussion of the subject would have involved. The governor transmitted my letter to the convention, together with the former correspondence between us, (which has already been communicated to you), and the resolutions of the general assembly of Virginia. I herewith enclose you a copy of my letter to him, and of his letter to the president of the convention, (Nos. 1 and 2).

The whole subject was forthwith referred to a committee of twenty-one members. It was expected, that the committee would make a report, in part at least, this morning; and I delayed this letter, in the hope of being able to give you the substance of the report: but on the meeting of the convention, the chairman informed the house, that the committee proposed to present three several views of the subject. 1st. In reference to the recent act of congress modifying the tariff; 2d. To the mediation of Virginia, and 3d. To the other act of congress, called the coercion law; and that a report upon one of these topics

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might be expected to morrow. I have no doubt, that the convention will rescind its ordinance. I have the honor to be with the highest respect, sir, your most obedient servant,

B. W. LEIGH.

*To his excellency, John Floyd, governor of Virginia.*

The several reports, resolutions and ordinances inserted below, were all adopted by very large majorities. Particulars hereafter.

*Report of the committee on the mediation of Virginia.*

The committee to whom was referred the resolutions of the general assembly of Virginia, and the communication of Mr. Leigh to the governor of the state of South Carolina, beg leave to

REPORT:

That although circumstances have supervened since the institution of this commission on the part of the highly respected commonwealth from which it proceeds, which have enabled this convention to accomplish the object which her assembly so anxiously and patriotically had in view, we are nevertheless sensible of the friendly dispositions of her good offices at a moment when S. Carolina, denounced by the executive of the federal government, and threatened with an extremity of its vengeance, stood absolutely alone in the contest she was waging for the rights of the states and the constitutional liberties of the country.

To this interference and these friendly dispositions, S. C. desires to respond to a sister sovereign, and independent commonwealth, in a tone of candor, confidence and affection. Appreciating thus sensibly, both the motives and objects which influenced the general assembly of Virginia, to despatch, at a moment so interesting, her commissioner to this state, whose mission, even if the recent modification of the tariff had not been adopted, would have challenged her high respect and profound consideration, she cannot permit the occasion thus offered to pass without making a few declarations which she regards as due to herself and the public liberty of the country.

In the first place, S. C. desires to stand acquitted, and believes on a calm and dispassionate reflection by her co-states, she must stand acquitted of the charge of having acted with any undue precipitation in the controversy hitherto pending with the federal government. For ten years, she petitioned, protested, and remonstrated against that system of unjust and unconstitutional legislation which had equally received the reprobation of Virginia before she resorted to her veto to forbid its enforcement within her limits. In exercising this faculty of her sovereignty, she believed she rested on those doctrines which in 1798 and 1799 had conferred on Virginia and her distinguished statesmen, a renown so unfailing. She now refers to this subject in no invidious spirit of controversy, but when Virginia asserted in those memorable resolutions of her general assembly, "that she viewed the powers of the federal government as resulting from the compact to which the states are parties as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorised by the grants enumerated in that compact, and that in case of a deliberate, palpable and dangerous exercise of other powers, not granted by the said compact, the states who are parties thereto have the right, and are in duty bound to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them," we conceived she has done nothing more or less than announce the remedy which S. C. has resorted to, through her state interposition. It is moreover asserted in the report explanatory of those resolutions, that this right is a constitutional, and not a revolutionary right, and by the whole context of the powerful argument embraced in that report, the right itself stands forth as separate and independent of the ordinary remedies of procuring a redress for the ordinary abuses of the federative government.

When therefore the general assembly of Virginia, in the recent resolutions, borne by her commissioner, which your committee are now considering, declares "that she does not regard the resolutions of 1798 and 99 as sanctioning the proceeding of S. C. as indicated in the ordinance of her convention," with all the proper deference S. C. must nevertheless adhere with an honest and abiding confidence to her own construction. It is within the Providence of God that great truths should be independent of the human agents that promulgate them. Once announced, they become the subjects and property of reason, to all men and in all time to come. Nor will S. C. feel less confidence in the conservative character of her remedy, which she believes to be in perfect harmony with a true exposition of the doctrines of the resolutions of 1798, by the recent testimony afforded of its efficacy in a pacific accommodation of the late controversy with the federal government, although that government has attempted to destroy the authority and efficiency of this remedy, by the contemporary passage of an act perpetrating a worse and more aggravated outrage on the constitution which has again demanded the interposition of this convention.

With this brief justification of the principles of South Carolina, your committee take leave of the subject, assuring the ancient and distinguished commonwealth, whose mission has been borne by her commissioner, with an ability, temper and affection entirely corresponding with her own dispositions, that in the struggles for liberty and right which we apprehend from the antagonist principles now fearfully at work, between those who support a limited and economical system of government, and those who favor a consolidated and extravagant one, which the states in a minority are destined to wage, she will find in S. C. a faithful and devoted ally in accomplishing the great work of freedom and union. If she cannot say, with Virginia, that consolidation and disunion are equivalent evils, because she believes with their own Jefferson, that consolidation is the greatest of all political curses to which our federative form of government can have any possible tendency, she nevertheless affirms, and challenges the production of any event in her history to disprove the declaration, that she is devoted to the union of these states, on the very terms and conditions of that compact out of which the union had its origin, and for these principles she is prepared to peril at all times and under all circumstances the lives and fortunes of her people.

Your committee conclude by recommending the adoption of the following resolutions.

*Resolved*, That the president of this convention do communicate to the governor of Virginia, with a copy of this report and these resolutions, our distinguished sense of the patriotic and friendly motives which actuated her general assembly in tendering her mediation in the late controversy between the general government and the state of S. Carolina, with the assurance that her friendly counsels will at all times command our respectful consideration.

*Resolved*, That the president of this convention likewise convey to the governor of Virginia, our high appreciation of the able and conciliatory manner in which Mr. Leigh has conducted his mission, during which he has afforded the most gratifying satisfaction to all parties, in sustaining towards us the kind and fraternal relations of his own state.

*Mr. Hamilton's resolution.*

*Resolved*, That whilst this convention as an offering to the peace and harmony of this union, in a just regard to the interposition of the highly patriotic commonwealth of Virginia, and with a proper deference to the united vote of the whole southern states in favor of the recent accommodation of the tariff, has made the late modification of the tariff approved by act of congress of the 2d March, 1833, the basis of the repeal of her ordinance of the 24th November, 1832—yet this convention owes it to itself, to the people they represent and the posterity of that people, to declare that they do not, by reason of said repeal, acquiesce in the principle of the substantive power existing on the part of congress to protect domestic manufactures: and hence on the final adjustment, in 1842, of the reductions, under the act of 2d March, 1833, or at any previous period should odious discriminations be instituted for the purpose of continuing in force the protective principle, S. Carolina will feel herself free to resist such a violation of what she conceives to be the good faith of the act of the 2d March, 1833, by the interposition of her sovereignty, or in any other mode she may deem proper.

*Mr. Smith's resolution.*

*Resolved*, That it is the opinion of this convention that the military preparations heretofore begun by the state should be continued, and that effectual measures should be adopted and completed, for putting the state in a firm attitude of defence.

*Report on the force bill.*

The committee to whom was referred the act of the congress of the United States, entitled "an act further to provide for the collection of duties on imports," beg leave to

REPORT:

That they have, so far as time would allow, considered the act with such attention, as the importance of the matters contained in it would seem to require. At the present moment, when a question, which has long divided and perplexed the country, has been adjusted, on terms calculated to quiet agitation and restore harmony, it would have been a matter of peculiar gratification to be able to indulge, without restraint the feelings which such adjustment was calculated to excite. But your committee regret to say, that at the moment of returning peace, the most serious and alarming cause of dissatisfaction has been afforded by the act under consideration. Your committee do most solemnly believe that the principles sought to be established by the act, are calculated, when carried into practice, to destroy our constitutional frame of government, to subvert the public liberty, and to bring about the utter ruin and debasement of the southern states of this confederacy.

The general purpose of the whole act, though not expressed in the terms of it, is perfectly well known to have been to counteract and render inefficacious an act of this state, adopted in her sovereign capacity, for the protection of her reserved rights. Believing, as we most fully do, that the power attempted to be exercised by the state, is among the reserved powers of the states, and that it may be exercised consistently with the constitution of the United States, an opinion formed by the good people of this state, upon the fullest and most careful consideration, and expressed through their delegates in convention, your committee must, on that ground alone, have been convinced that the purpose of counteracting that act, and the means by which it is sought to be counteracted, are unauthorised by the constitution. We think that this will become more apparent by attending to the leading provisions of the act of congress.

The act gives to the president of the United States, for a limited time, an almost unlimited power of control over the com-

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merce of the whole U. States; though certainly the power was only contemplated to be exercised against that of South Carolina.

It exempts property in the hands of the officer of the revenue, alleged to be detained for enforcing the payment of the duties, from liability to the process of the state courts.

It exempts a class of persons residing within the state—officers of the United States, and persons employed by them or acting under their direction, or any other person professing to act in execution of the revenue laws—from all responsibility to the state laws or state tribunals, from any crime or wrong, when it is alleged that the act was done in execution of the revenue laws, or under color thereof.

It gives to the same class of persons the right to seek redress for any alleged injury whatever, either to person or property, however foreign to the proper subjects of the jurisdiction, in the courts of the United States; provided the injury be received in consequence of any act done in execution of the revenue laws.

It directly supposes all the courts of the state to be inferior and subordinate to those of the United States, and provides for rendering them so, by directing to them the writ of *certiorari* superseding their jurisdiction.

It affects to limit and controul the jurisdiction of the courts of the state; providing for the removal of causes from their cognizance; declaring their judgments void, and providing for the discharge of persons confined under their process.

It tyrannically provides for rendering persons liable to punishment for acts done by them in execution of the laws of the state and the process of its courts, to which they are bound to yield obedience, and which they are compelled, under the highest sanctions, to enforce.

It not only provides for the punishment of persons thus acting by the civil tribunals, but authorises the employment of military force, under color of executing the laws of the United States, to resist the execution of the laws of the state; superseding with the quick execution of the sword, the slower process of courts.

The act authorises the confinement of persons in unusual places; which can only mean on board ships; in which persons from the most remote parts of the state may be confined.

The committee believe that all these positions are distinctly sustained by the act in question. By the constitution of the U. States, the power to regulate commerce, is given to congress. It is an important portion of the legislative power, and as legislative power, is incapable of delegation. Congress has, however, in effect, delegated to the president, the power to abolish, at his discretion, any port of the United States, or interrupt or destroy its commerce. This may easily be effected, under the authority to remove the custom house to any port or harbor within the collection district, by fixing it at inconvenient or inaccessible places. To say nothing of the unusual and tremendous character of this power, which New York or Philadelphia might perhaps apprehend, if there were any expectation of its being exercised with respect to them, and the enormous abuse to which it is liable, does the constitution contemplate or authorise, the delegation of this discretion to an individual? If it were exercised, it would be a plain violation of that part of the constitution which directs that in regulations of commerce, no preference shall be given to the ports of one state over those of another. The same inequality is occasioned by directing the payment of cash duties. It is vain to say that this has been rendered necessary by the act of the state, and without it, the collection of the revenue would be impracticable. Whatever latitude may be allowed in the selection of means necessary and proper to carry into effect the granted powers of congress, we believe no one has yet imagined, that a plain provision of the constitution may be violated, as a means of carrying into effect a power granted by another provision. Although we may concede the power of *congress* for sufficient cause and in good faith, to abolish one port of entry and establish another, yet we of course cannot concede that it may delegate this power, or that the sovereign act of the state, for the vindication of her reserved rights, constitutes sufficient cause, or that this act has been done in good faith.

The provisions of the act, that all property in the hands of any officer or other person, detained under any revenue law, shall be subject only to the orders and decrees of the courts of the U. States, plainly enacts that it shall not be subject to any process, order or decree, of the courts of the state. We have heretofore been accustomed to regard our superior courts as having jurisdiction over all persons and all property within the limits of the state. This jurisdiction is of course superseded, whenever any other court of concurrent jurisdiction has possession or custody of any cause or any property. But that a ministerial, executive officer, or that property in his hands, should be exempted from the jurisdiction and authority of state courts, we believe to be unprecedented in our legislation, and without any shadow of constitutional authority. One of the most extraordinary and exceptionable provisions of the act, appears to be that authorising the removal, previous to trial, of suits or prosecutions from the state courts, upon affidavit made, and a certificate of the opinion of some counsellor or attorney to the same effect, that the suit or prosecution was for or on account of any act done under the revenue laws of the United States, or under color thereof, or for or on account of any right, authority or title, set up or claimed by any officer or other person, under any such law of the United States. If there be any violation of the law of the state, if there be a wrong done to person or property within the limits of the state, have not the courts of the state jurisdiction of that matter? By what authority does the congress of the United States limit that jurisdiction? What shadow of constitutional provision is there to sanction this most flagrant usurpation? True such a violation of the law of the state may sometimes be justified as being done in execution of a constitutional law of the United States; but this is a matter of defence, and to be tried as every other defence is to be tried, and can have no effect in ousting the jurisdiction or in giving to the courts of the United States original jurisdiction of offences against the state laws. So any person is authorised to bring suit in the courts of the United States for any injury to person or property, for or on account of any act done in execution of the revenue laws. The constitution gives to the courts of the United States jurisdiction of all cases in law and equity arising under the constitution and laws of the United States. An assault on the person or trespass to property is a violation of the laws of the state. Can it make a difference that a violation of the state law was provoked by an act done under color of executing the law of the United States? The protection of persons and property has heretofore been supposed the province of the states. In assuming to itself this new function, the federal government indicates most clearly its tendency to engross all power and controul all state authority.

It is plain, likewise, from the various provisions of the act, that such suits are intended to be allowed against persons acting in execution of the process of the state courts. Judgments of those courts are declared to be void, and persons and property exempted from their jurisdiction.

It is not only our law, but part of the law of the civilized world, that the judgment of a court of competent jurisdiction is valid until it be reversed by a competent authority. The judgment of a superior court of general jurisdiction, can never be void for want of jurisdiction. When there are courts of concurrent jurisdiction, that which obtains possession of the cause is entitled to retain it; its process must be respected, and all other jurisdiction is excluded. It is true that the judgments of courts of limited jurisdiction, (and such are the courts of the United States, and so they themselves have determined), are void, if the jurisdiction be transcended. This distinction would seem to determine whether sovereignty is to be attributed to the state or to the federal authority. Hitherto, it has never occurred to any one to doubt that an officer, acting in execution of the process of a court of general jurisdiction, and all persons acting under his direction, are exempted from all responsibility for that act. He is bound, under the highest sanction, to execute that process; and shall he be punished for performing his duty?

If this act were submitted to, the entire administration of the criminal justice of the state might be interrupted, and it is not too much to say, that the state governments would be rendered impracticable. The worst criminal—one stained with the guilt of murder—upon making an affidavit, which no such criminal would hesitate to make, and procuring a certificate, which any criminal might easily procure, would be able to elude the criminal justice of the state. His cause must be removed to the federal court; and when upon his trial it shall appear that his act was not done in execution of the law of the United States, your committee do not perceive what other consequence can follow, than that he must be acquitted and go with impunity.

Having taken this view of the provisions of the act in question, the committee would submit to the solemn consideration and determination of this convention, whether they do not effect an entire change in the character of our constitution, and will not, when carried into practice, abolish every vestige of liberty, and render this an absolute, consolidated government, without limitation of powers. It has been truly said if these things may be done, the most solemn acts of the highest authorities of the state may be regarded as the unauthorised proceedings of individuals; the courts of justice may be shut up; the legislature dispersed, as a lawless mob, and we, ourselves, representing, as we vainly believe, the sovereignty of the state, called to answer for what we have said and done on this floor, at the bar of a circuit court of the United States. Is this an exaggerated picture? Let us examine it a little more closely. If these provisions may be made to enforce the execution of the revenue laws of the United States, they may be made to enforce any other act which congress shall think proper to pass. No matter how oppressive, how clearly unconstitutional, there is no power in the constituted authorities of the state to resist it. If one class of cases may be removed from the jurisdiction of the state courts, any other class, subject to the discretion of congress, may be likewise removed. If the process of the courts be void, and the officer executing it, and those acting under his direction, responsible civilly or punishable criminally, the judge who directed the process must be answerable in like manner. He was equally without authority, and having commanded the act, is a partaker of the guilt. The legislature who commanded the act of the judge, and the convention of the people, in obedience to whose mandate every thing was done, must have the same participation. If the sheriff and his posse, obstructing the execution of the revenue laws, may constitute that unlawful combination and assemblage, on being notified of which the president is authorised to use the military force of the United States to disperse them, then the courts, the legislature or the convention, in obedience to whose authority alone the sheriff acts, and who are the efficient causes of the obstruction, are assemblages of similar character, and may be dispersed by military force. The whole purpose of the act is to confound the acts of the con-

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stituted authorities of the state, however solemn and well considered, with the lawless and irregular acts of individuals or mobs. The certain effect of it must be, to restrain the states from the exercise of any other authority than such as congress, or the sectional majority represented in congress, shall think fit to permit them to exercise, and to insure the enforcement of every law which that majority may think proper to enact. It involves the cruelty and absurdity of making the community, and the individuals of the community, punishable for their acts in obedience to the laws of their government; an obedience from which they cannot exempt themselves unless they absolve themselves from their allegiance by self banishment.

That the object of many of the politicians who supported this bill—the politicians of that majority in whose hands all power will be—is to establish a consolidated government, is now hardly or at all disguised. The chimera of a government partly consolidated, partly federative, is now scarcely contended for. The same class of politicians have always had in view the same object. It was attempted to be effected in the convention which framed the constitution of the United States. The attempt was there foiled. After the formation of the government, those who affected consolidation, assumed the term "federal," and denied that the opinions held by them, led to that result. The possession of power, however, developed their views, and the first marked indication of their disposition to engross the powers of the states and meddle with their internal concerns, was afforded by the alien and sedition laws. This attempt was so strongly rebuked by public opinion which led to the change of the administration in 1800, that the hopes of consolidation seemed abandoned forever. They remained dormant, until revived by the agitations springing out of our late protecting system. It was perceived that nothing less strong than a consolidated government could sustain that system of iniquity. Gradually we have been told that the states have parted with a portion of their sovereignty; then, that they were never sovereign; until at length, availing themselves of the excitement of a particular crisis, and passion for power, and the influence of an individual, the act before us has been passed, sweeping away every vestige of state sovereignty and reserved rights, or causing them to be held at the mercy of the majority, compared to which the alien and sedition laws sink into measures harmless and insignificant.

And what is it to the southern states, to be subjected to a consolidated government? These states constitute a minority and are likely to do so forever. They differ in institutions and modes of industry, from the states of the majority, and have different and in some degree incompatible interests. It is to be governed, not with reference to their own interests or according to their own habits and feelings, but with reference to the interests and according to the prejudices of their rulers, the majority. It has been truly said that the protecting system constitutes but a small part of our controversy with the federal government. Unless we can obtain the recognition of some effectual constitutional check on the usurpation of power, which can only be derived from the sovereignty of the states, and their right to interpose for the preservation of their reserved powers, we shall experience oppression more cruel and revolting than this.

While there remains within the states any spirit of liberty, prompting them to repel federal usurpations, one of the most obvious means to break that spirit and reduce the state to subjection, will be that which has been attempted by the act before us. It will be to create or to sustain by the patronage of government or other means, a party within the state, devoted to federal power, exempted from responsibility to the state authorities, and having power to harass and degrade the state authorities by means of the tribunals of the United States. Thus will be created a government within a government, with all the consequences which experience informs us are likely to arise from that state of things, and such as did arise from the independent ecclesiastical jurisdictions established within the governments of Europe. The federal governments will interfere with every department of the state governments; it will influence elections; it will raise up and put down parties, as they shall be more servile to its will. Pretext for interference will never be wanting. Already has it been said that ours is no longer a republican government, because the state in vindicating its sovereignty has refused to entrust with any portion of its authority, those who deny or refuse to recognise that sovereignty. Other classes of individuals might be found within the state whom it might suit the majority to suppose disfranchised in derogation of true republican principles, and to require their interference and protection. This interference will be practised at first with moderation, and with some apparent respect for the rights of the state. Gradually, as the power of the government shall be established, and the southern states become weakened and less capable of resistance, the shew of moderation will be thrown off. Thus the peace of those states will be embroiled; their prosperity interrupted, their character degraded, until in the natural progress of things, your committee think it not too strong to say, that they will be more miserable; more utterly enslaved; more thoroughly debased, than any provinces that have ever been rendered subject by the sword.

In alluding to the oath which the state has heretofore thought proper to exact of its citizens, and to one somewhat similar, which the committee propose to recommend, they think proper to disclaim, as they do most solemnly disclaim, on behalf of themselves and the convention, that this or any other measure which the convention has adopted, has been adopted upon mere party views; to secure party ascendancy, or gratify party resentment. They appeal to God, that their only object has been to vindicate their rights and liberties, and the common liberties of the whole south. This object they have pursued in singleness of purpose; though exposed to much obloquy—threatened with much danger, and discountenanced by those from whom they had a right to expect support. They have never sought to endanger this union; but to perpetuate it by rendering it compatible with, and a security for liberty.

The firmness of the state seems, at length, in some degree, to have triumphed. But let it be recollected that the moment of triumph is commonly one of danger. Let it be kept in mind, that this is not a contest ended, but a contest not more than begun, and not to be determined till this act shall cease to disgrace the statute book. Let this contest be carried on firmly, steadily, without passion and without faltering. If the vigilance of the state should relax, if it should cease to raise up barriers against the head of usurpation, which threatens to overwhelm us—the torrent will break loose, and sweep our liberties along with it. Let every man consider this his own peculiar business. If liberty be saved, every thing is saved; if liberty be lost, every thing is lost.

As the provisions of the act have reference only to certain acts of the people and legislature of this state, which have been suspended by the late modifications of the tariff, it could not have been contemplated that it should have any immediate operation. And your committee doubted whether, regarding it as merely a menace, they should recommend any action upon it, or only that the sentiments of the convention should be expressed in regard to the principles it contains. But most of its provisions are made permanent, and may be put in practice on some future occasion. The committee cannot doubt that it expresses the true principles of many of those who voted for it, and who will seek occasion to reduce them to practice. As a precedent it is most dangerous. The vote on the very act, shows how little is to be expected from a majority. It is incumbent on South Carolina, unsupported as she is, to take care that no federal authority unauthorised by our federal compact, shall be exercised within the limits of the state, until a returning sense of justice, and constitutional obligation in the majority, shall afford hope of a government content to confine its action to its proper objects. For the purpose of providing that the act shall never have operation or effect within the limits of the state, the committee beg leave to report the following

ORDINANCE.

We the people of the state of South Carolina, in convention assembled, do declare and ordain that the act of the congress of the United States, entitled "an act further to provide for the collection of duties on imports," approved the 2d day of March, 1833, is unauthorised by the constitution of the U. States, subversive of that constitution, and destructive of public liberty, and that the same is and shall be deemed null and void within the limits of this state: and it shall be the duty of the legislature, at such time as they may deem expedient, to adopt such measures and pass such acts as may be necessary to prevent the enforcement thereof, and to inflict proper penalties on any person who shall do any act in execution or enforcement of the same within the limits of this state.

We further ordain, that no person who shall be hereafter elected or appointed, or who has heretofore been elected but has not yet taken the oaths of office required at the time of his election or appointment in any office civil or military within this state, (members of the legislature alone excepted) shall enter on the execution of such office or be in any respect competent to discharge the duties thereof, until he shall have taken in addition to the oaths of office now required, at the same time and in the same manner that such oaths are required to be taken, the following oath of allegiance. "I declare myself a citizen of the free and sovereign state of South Carolina; I declare that my allegiance is due to the said state; and hereby renounce and abjure all other allegiance incompatible therewith; and I will be true and faithful to the said state, so long as I continue a citizen thereof; so help me God."

And it is further ordained that if any officer heretofore elected or hereafter to be elected, shall refuse or neglect to take the aforesaid oath, within the time that other oaths of office are required by law to be taken, such office shall be considered vacant; and the governor of the state shall proceed (except in the instance of judges of the state) to fill such vacancy by appointing an officer, to serve until another officer shall be elected and duly qualified.

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AN ORDINANCE

To nullify an act of the congress of the United States, entitled "an act further to provide for the collection of duties on imports," commonly called the force bill.

We, the people of the state of South Carolina in convention assembled, do declare and ordain that the act of the congress of the United States, entitled "an act further to provide for the collection of duties on imports;" approved the 2d day of March, 1833, is unauthorised by the constitution of the United States, subversive of that constitution, and destructive of public liberty, and that the same is and shall be deemed null and void within the limits of this state; and it shall be the duty of the legislature, at such time as they may deem expedient, to adopt such measures and pass such acts as may be necessary to prevent the enforcement thereof, and to inflict proper penalties of any person who shall do any act in execution or enforcement of the same within the limits of this state.

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We do further ordain and declare, that the allegiance of the citizens of this state, while they continue such, is due to the said state, and that obedience only, and not allegiance, is due by them to any other power or authority, to whom a control over them has been, or may be delegated by the state: and the general assembly of the said state is hereby empowered, from time to time, when they may deem it proper, to provide for the administration to the citizens and officers of the state, or such of the said officers as they may think fit, of suitable oaths or affirmations; binding them to the observance of such allegiance, and abjuring all other allegiance; and, also, to define what shall amount to a violation of their allegiance, and to provide the proper punishment for such violation.

Done at Columbia, the eighteenth day of March, in the year of our Lord one thousand eight hundred and thirty three, and in the fifty-seventh year of the sovereignty and independence of the United States of America.

ROBERT Y. HAYNE, *delegate from the parishes of St. Philip's and St. Michael's*, *president of the convention.*
ISAAC W. HAYNE, *clerk.*

## SPEECH OF MR. CLAY,

In the senate of the United States, February 25, 1833, in vindication of his bill, entitled "an act to modify the act of the 14th July, 1832, and all other acts imposing duties on imports."

The bill to modify the tariff being under consideration—

Mr. *Clay* rose, in reply to Mr. *Webster*, and said: Being anxious, Mr. President, that this bill should pass, and pass *this* day, I will abridge as much as I can the observations which I am called upon to make. I have long, with pleasure and pride, co-operated in the public service with the senator from Massachusetts; and I have found him faithful, enlightened, and patriotic. I have not a particle of doubt as to the pure and elevated motives which actuate him. Under these circumstances, it gives me deep and lasting regret to find myself compelled to differ from him as to a measure involving vital interests, and perhaps the safety of the union. On the other hand, I derive great consolation from finding myself, on this occasion, in the midst of friends with whom I have long acted, in peace and in war, and especially with the honorable senator from Maine, [Mr. *Holmes*] with whom I had the happiness to unite in a memorable instance. It was in this very chamber, that senator presiding in the committee of the senate, and I in the committee of twenty-four of the house of representatives, on a Sabbath day, that the terms were adjusted, by which the compromise was effected of the Missouri question. Then the dark clouds that hung over our beloved country were dispersed; and now the thunders from others not less threatening, and which have been longer accumulating, will, I hope, roll over us harmless and without injury.

The senator from Massachusetts objects to the bill under consideration on various grounds. He argues that it imposes unjustifiable restraints on the power of future legislation; that it abandons the protective policy; and that the details of the bill are practically defective. He does not object to the gradual, but very inconsiderable, reduction of duties which is made prior to 1842. To that he could not object; because it is a species of prospective provision, as he admits, in conformity with numerous precedents on our statute book. He does not object so much to the state of the proposed law prior to 1842, during a period of nine years; but, throwing himself forward to the termination of that period, he contends that congress will then find itself under inconvenient shackles, imposed by our indiscretion. In the first place, I would remark, that the bill contains no obligatory pledges; it could make none; none are attempted. The power over the subject is in the constitution; put there by those who formed it, and liable to be taken out only by an amendment of the instrument. The next congress, and every succeeding congress, will undoubtedly have the *power* to repeal the law whenever they may think proper. Whether they will exercise it or not, will depend upon a sound discretion, applied to the state of the whole country, and estimating fairly the consequences of the repeal, both upon the general harmony and the common interests. Then, the bill is founded in a spirit of compromise. Now, in all compromises there must be mutual concessions. The friends of free trade insist that duties should be laid in reference to revenue alone. The friends of American industry say that another, if not paramount, object in laying them, should be to diminish the consumption of foreign, and increase that of domestic products. On this point the parties divide, and, between these two opposite opinions, a reconciliation is to be effected, if it can be accomplished. The bill assumes, as a basis, adequate protection for nine years, and less beyond that term. The friends of protection say to their opponents, we are willing to take a lease of nine years, with the long chapter of accidents beyond that period, including the chance of war, the restoration of concord, and along with it a conviction, common to all, of the utility of protection; and, in consideration of it, if, in 1842, none of these contingencies shall have been realised, we are willing to submit, as long as congress may think proper, to a maximum rate of 20 per cent. with the power of discrimination below it, cash duties, home valuations, and a liberal list of free articles, for the benefit of the manufacturing interest. To these conditions, the opponents of protection are ready to accede. The measure is what it professes to be, a compromise; but it imposes and could impose no restriction upon the will or power of a future congress. Doubtless great respect will be paid, as it ought to be paid, to the serious condition of the country that has prompted the passage of this bill. Any future congress that might disturb this adjustment would act under a high responsibility, but it would be entirely within its competency to repeal, if it thought proper, the whole bill.

It is far from the object of those who support this bill, to abandon or surrender the policy of protecting American industry. Its protection or encouragement may be accomplished in various ways. 1st. By bounties, as far as they are within the constitutional power of congress to offer them. 2d. By prohibitions, totally excluding the foreign rival article. 3d. By high duties, without regard to the aggregate amount of revenue which they produce. 4th. By discriminating duties, so adjusted as to limit the revenue to the economical wants of government. And 5thly. By the admission of the raw material, and articles essential to manufactures, free of duty. To which may be added cash duties, home valuations, and the regulation of auctions. A perfect system of protection would comprehend most, if not all these modes of affording it. There might be, at this time, a prohibition of certain articles, (ardent spirits and coarse cottons, for example), to public advantage. If there were not inveterate prejudices and conflicting opinions prevailing, (and what statesman can totally disregard impediments of that character?) such a compound system might be established.

Now, Mr. President, before the assertion is made that the bill surrenders the protective policy, gentlemen should understand perfectly what it does not, as well as what it does, propose. It impairs no power of congress over the whole subject; it contains no promise or pledge whatever, express or implied, as to bounties, prohibitions, or auctions; it does not touch the power of congress in regard to them, and congress is perfectly free to exercise that power at any time; it expressly recognises discriminating duties within a prescribed limit; it provides for cash duties and home valuations; and it secures a free list, embracing numerous articles, some of high importance to the manufacturing arts. Of all the modes of protection which I have enumerated, it affects only the third; that is to say, the imposition of high duties, producing a revenue beyond the wants of government. The senator from Massachusetts contends that the policy of protection was settled in 1816, and that it has ever since been maintained. Sir, it was settled long before 1816. It is coeval with the present constitution, and it will continue, under some of its various aspects, during the existence of the government. No nation can exist, no nation, perhaps, ever existed, without protection, in some form, and to some extent, being applied to its own industry. The direct and necessary consequence of abandoning the protection of its own industry, would be to subject it to the restrictions and prohibitions of foreign powers; and no nation, for any length of time, can endure an alien legislation, in which it has no will. The discontents which prevail, and the safety of the republic, may require the modification of a specific mode of protection, but it must be preserved in some other more acceptable shape.

All that was *settled* in 1816, in 1824, and in 1828, was, that protection should be afforded *by high duties, without regard to the amount of the revenue which they might yield.* During that whole period, we find a public debt which absorbed all the surpluses beyond the ordinary wants of government. Between 1816 and 1824, the revenue was liable to the great fluctuations, vibrating between the extremes of about nineteen and thirty-six millions of dollars. If there were more revenue, more debt was paid; if less, a smaller amount was reimbursed. Such was sometimes the deficiency of the revenue, that it became necessary, to the ordinary expenses of government, to trench upon the ten millions annually set apart, as a sinking fund, to extinguish the public debt. If the public debt remained undischarged, or we had any other proper and practical mode of appropriating the surplus revenue, the form of protection, by high duties, might be continued without public detriment. It is the payment of the public debt, then, and the arrest of internal improvements by the exercise of the veto, that unsettle that specific form of protection. Nobody supposes, or proposes, that we should continue to levy, by means of high duties, a large annual surplus, of which no practical use can be made, for the sake of the incidental protection which they afford. The secretary of the treasury estimates that surplus on the existing scale of duties, and with the other sources of revenue, at six millions annually. An annual accumulation, at that rate, would, in a few years, bring into the treasury the whole currency of the country, to lie there inactive and dormant.

This view of the condition of the country has impressed every public man with the necessity of some modification of the principle of protection, so far as it depends upon high duties. The senator from Massachusetts feels it; and hence, in the resolutions which he submitted, he proposes to reduce the duties, so as to limit the amount of the revenue to the wants of the government. With him, revenue is the principal, protection the subordinate object. If protection cannot be enjoyed after such a reduction of duties as he thinks ought to be made, it is not to be extended. He says specific duties, and the power of discrimination, are preserved by his resolutions. So they may be under the operation of the bill. The only difference between the two schemes is, that the bill, in the maximum which it provides, suggests a certain limit; whilst his resolutions lay down none. Below that maximum, the principle of discrimination and specific duties may be applied. The senator from Pennsylvania, [Mr. *Dallas*] who, equally with the senator from Massachusetts, is opposed to this bill, would have agreed to the bill if it had fixed thirty instead of twenty per centum; and he would have

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dispensed with home valuation, and come down to the revenue standard in five or six years. Now, Mr. President, I prefer, and I think the manufacturing interest will prefer, nine years of adequate protection, home valuations, and twenty per cent. to the plan of the senator from Pennsylvania.

Mr. President, I want to be perfectly understood as to the motives which have prompted me to offer this measure. I repeat what I said on the introduction of it, that they are, first, to preserve the manufacturing interest, and, secondly, to quiet the country. I believe the American System to be in the greatest danger; and I believe it can be placed on a better and safer foundation at this session, than at the next. I heard, with surprise, my friend from Massachusetts say that nothing had occurred within the last six months to increase its hazard. I entreat him to review that opinion. Is it correct? Is the issue of numerous elections, including that of the highest officer of the government, nothing? Is the explicit recommendation of that officer, in his message at the opening of the session, sustained, as he is, by a recent triumphant election, nothing? Is his declaration in his proclamation, that the burdens of the south ought to be relieved, nothing? Is the introduction of a bill into the house of representatives during this session, sanctioned by the head of the treasury and the administration, prostrating the greater part of the manufactures of the country, nothing? Are the increasing discontents nothing? Is the tendency of recent events to unite the whole south, nothing? What have we not witnessed in this chamber? Friends of the administration bursting all the ties which seemed indissolubly to unite them to its chief, and, with few exceptions south of the Potomac, opposing, and vehemently opposing, a favorite measure of that administration, which three short months ago they contributed to establish! Let us not deceive ourselves. Now is the time to adjust the question in a manner satisfactory to both parties. Put it off until the next session, and the alternative may, and probably then would be a speedy and ruinous reduction of the tariff, or a civil war with the entire south.

It is well known that the majority of the dominant party is adverse to the tariff. There are many honorable exceptions, the senator from New Jersey, [Mr. *Dickerson*,] among them. But for the exertions of the other party, the tariff would have been long since sacrificed. Now let us look at the composition of the two branches of congress at the next session. In this body we lose three friends of the protective policy, without being sure of gaining one. Here, judging from present appearances, we shall, at the next session, be in the minority. In the house it is notorious that there is a considerable accession to the number of the dominant party. How, then, I ask, is the system to be sustained against numbers, against the whole weight of the administration, against the united south, and against the increased pending danger of civil war? There is, indeed, one contingency that might save it, but that is too uncertain to rely upon. A certain class of northern politicians, professing friendship to the tariff, have been charged with being secretly inimical to it, for political purposes. They may change their ground, and come out open and undisguised supporters of the system. They may even find in the measure which I have brought forward, a motive for their conversion. Sir, I shall rejoice in it, from whatever cause it may proceed. And if they can give greater strength and durability to the system, and at the same time quiet the discontents of its opponents, I shall rejoice still more. They shall not find me disposed to abandon it, because it has drawn succor from an unexpected quarter.

No, Mr. President, it is not destruction but preservation of the system at which we aim. If dangers now assail it, we have not created them. I have sustained it upon the strongest and clearest convictions of its expediency. They are entirely unaltered. Had others, who avow attachment to it, supported it with equal zeal and straightforwardness, it would be now free from embarrassment; but with them it has been a secondary interest. I utter no complaints—I make no reproaches. I wish only to defend myself now, as heretofore, against unjust assaults. I have been represented as the father of this system, and I am charged with an unnatural abandonment of my own offspring. I have never arrogated to myself any such intimate relation to it. I have, indeed, cherished it with parental fondness, and my affection is undiminished. But in what condition do I find this child? It is in the hands of the Philistines, who would strangle it. I fly to its rescue, to snatch it from their custody, and to place it on a bed of security and repose for nine years, where it may grow and strengthen, and become acceptable to the whole people. I behold a torch about being applied to a favorite edifice, and I would save it, if possible, before it is wrapt in flames, or at least preserve the precious furniture which it contains. I wish to see the tariff separated from the politics of the country, that business men may go to work in security, with some prospect of stability in our laws, and without every thing being staked on the issue of elections as it were on the hazards of the die.

And the other leading object which has prompted the introduction of this measure, the tranquilizing of the country, is no less important. All wise human legislation must consult in some degree the passions, and prejudices, and feelings, as well as the interests of the people. It would be vain and foolish to proceed at all times, and under all circumstances, upon the notion of absolute certainty in any system, or infallibility in any dogma, and to push these out without regard to any consequences. With us, who entertain the opinion that congress is constitutionally invested with power to protect domestic industry, it is a question of mere expediency as to the form, the degree and the time that the protection shall be afforded. In weighing all the considerations which should control and regulate the exercise of that power, we ought not to overlook what is due to those who honestly entertain opposite opinions to large masses of the community, and to deep, long cherished and growing prejudices. Perceiving, ourselves, no constitutional impediment, we have less difficulty in accommodating ourselves to the sense of the people of the United States upon this interesting subject. I do believe that a majority of them is in favor of this policy; but I am induced to believe this almost against evidence. Two states in New England, which had been in favor of the system, have recently come out against it. Other states of the north and the east have shown a remarkable indifference to its preservation. If, indeed, they have wished to preserve it, they have nevertheless placed the powers of government in hands which ordinary information must have assured them were rather a hazardous depository. With us in the west, although we are not without some direct, and considerable indirect, interest in the system, we have supported it more upon national than sectional grounds.

Meantime, the opposition of a large and respectable section of the union, stimulated by political success, has increased, and is increasing. Discontents are multiplying and assuming new and dangerous aspects. They have been cherished by the course and hopes inspired during this administration, which, at the very moment that it threatens and recommends the use of the power of the whole union, proclaims aloud the injustice of the system which it would enforce. These discontents are not limited to those who maintain the extravagant theory of nullification; they are not confined to one state; they are coextensive with the entire south, and extend even to northern states. It has been intimated by the senator from Massachusetts, that, if we legislate at this session on the tariff, we would seem to legislate under the influence of a panic. I believe, Mr. President, I am not more sensible to danger of any kind than my fellow men are generally. It, perhaps, requires as much moral courage to legislate under the imputation of a panic, as to refrain from it, lest such an imputation should be made. But he who regards the present question as being limited to South Carolina alone, takes a view of it much too contracted. There is a sympathy of feeling and interest throughout the whole south. Other southern states may differ from that as to the remedy to be now used, but all agree, (great as in my humble judgment is their error), in the substantial justice of the cause. Can there be a doubt that those who think in common will sooner or later act in concert? Events are on the wing, and hastening this co-operation. Since the commencement of this session, the most powerful southern member of the union has taken a measure which cannot fail to lead to important consequences. She has deputed one of her most distinguished citizens to request a suspension of measures of resistance. No attentive observer can doubt that the suspension will be made. Well, sir, suppose it takes place, and congress should fail at the next session to afford the redress which will we solicited, what course would every principle of honor, and every consideration of the interests of Virginia, as she understands them, exact from her? Would she not make common cause with South Carolina; and, if she did, would not the entire south eventually become parties to the contest? The rest of the union might put down the south, and reduce it to submission; but, to say nothing of the uncertainty and hazards of all war, is that a desirable state of things? Ought it not to be avoided if it can be honorably prevented? I am not one of those who think that we must rely exclusively upon moral power, and never resort to physical force. I know too well the frailties and follies of man, in his collective as well as individual character, to reject, in all possible cases, the employment of force; but I do think, that, when resorted to, especially among the members of a confederacy, it should manifestly appear to be the only remaining appeal.

But suppose the present congress terminates without any adjustment of the tariff, let us see in what condition its friends will find themselves at the next session. S. Carolina will have postponed the execution of the law passed to carry into effect her ordinance until the end of that session. All will be quiet in the south for the present. The president, in his opening message, will urge that justice, as he terms it, be done to the south, and that the burdens imposed upon it by the tariff be removed. The whole weight of the administration, the united south, and majorities of the dominant party in both branches of congress, will be found in active co-operation. Will the gentleman from Massachusetts tell me how we are to save the tariff against this united and irresistible force? They will accuse us of indifference to the preservation of the union, and of being willing to expose the country to the dangers of civil war. The fact of South Carolina postponing her ordinance, at the instance of Virginia, and once more appealing to the justice of congress, will be pressed with great emphasis and effect. It does appear to me impossible that we can prevent a most injurious modification of the tariff at the next session; and that this is the favorable moment for an equitable arrangement of it. I have been subjected to animadversion for the admission of the fact, that at the next session, our opponents will be stronger, and the friends of the American System weaker than they are in this congress. But is it not so? And is it not the duty of every man who aspires to be a statesman to look at naked facts as they really are? Must he suppress them? Ought he like chil-

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dren, to throw the counterpane over his eyes, and persuade himself that he is secure from danger? Are not our opponents as well informed as we are about their own strength?

If we adjourn, without any permanent settlement of the tariff, in what painful suspense and terrible uncertainty shall we not leave the manufacturers and business men of the country? All eyes will be turned, with trembling and fear, to the next session. Operations will be circumscribed, and new enterprises checked, or if otherwise, ruin and bankruptcy may be the consequence. I believe, sir, this measure, which offers a reasonable guaranty for permanency and stability, will be hailed by practical men with pleasure. The political manufacturers may be against it, but it will command the approbation of a large majority of the business manufacturers of the country.

But the objections of the honorable senator from Massachusetts are principally directed to the period beyond 1842. During the intermediate time, there is every reason to hope and believe that the bill secures adequate protection. All my information assures me of this; and it is demonstrated by the fact, that, if the measure of protection, secured prior to the 31st December, 1841, were permanent, or if the bill were even silent beyond that period, it would command the cordial and unanimous concurrence of the friends of the policy. What then divides, what alarms us? It is what *may possibly* be the state of things in the year one thousand eight hundred and forty-two, or subsequently? Now, sir, even if that should be as bad as the most vivid imagination or the most eloquent tongue could depict it, if we have intermediate safety and security, it does not seem to me wise to rush upon certain and present evils, because of those which, admitting their possibility, are very remote and contingent. What! Shall we not extinguish the flame which is bursting through the roof that covers us, because, at some future and distant day, we may be again threatened with conflagration?

I do not admit that this bill abandons, or fails by its provisions, to secure reasonable protection beyond 1842. I cannot know, I pretend not to know, what will then be the actual condition of this country, and of the manufacturing arts, and their relative condition to the rest of the world. I would as soon confide in the forecast of the honorable senator from Massachusetts, as in that of any other man in this senate, or in this country; but he, nor any one else, can tell what that condition will then be. The degree of protection which will be required for domestic industry beyond 1842, depends upon the reduction of wages, the accumulation of capital, the improvement in skill, the protection of machinery, and the cheapening of the price, at home, of essential articles, such as fuel, iron, &c. I do not think that the honorable senator can throw himself forward to 1842, and tell us what, in all these particulars, will be the state of this country, and its relative state to other countries. We know that, in all human probability, our numbers will be increased by an addition of one-third, at least to their present amount, and that may materially reduce wages. We have reason to believe that our capital will be augmented, our skill improved; and we know that great progress has been made, and is making, in machinery. There is a constant tendency to decrease in the price of iron and coal. The opening of new mines, and new channels of communication, must continue to lower it. The successful introduction of the process of coaking would have great effect. The price of these articles, one of the most opulent and intelligent manufacturing houses in this country assures me, is a principal cause of the present necessity of protection to the cotton interest; and that house is strongly inclined to think that 20 per cent. with the other advantages secured in this bill, may do beyond 1842.—Then, sir, what effect may not convulsions and revolutions in Europe, if any should arise, produce? I am far from desiring them, that our country may profit by their occurrence. Her greatness and glory rest, I hope, upon a more solid and more generous basis. But we cannot shut our eyes to the fact, that our greatest manufacturing, as well as commercial, competitor is undergoing a momentous political experiment, the issue of which is far from being absolutely certain. Who can raise the veil of the succeeding nine years, and show what, at their termination, will be the degree of competition which Great Britain can exercise towards us in the manufacturing arts?

Suppose, in the progress of gradual descent towards the revenue standard, for which this bill provides, it should, some years hence, become evident that further protection, beyond 1842, than that which it contemplates, may be necessary, can it be doubted that, in some form or other, it will be applied? Our misfortune has been, and yet is, that the public mind has been constantly kept in a state of feverish excitement in respect to this system of policy. Conventions, elections, congress, the public press, have been for years all acting upon the tariff, and the tariff acting upon them all. Prejudices have been excited, passions kindled, and mutual irritations carried to the highest pitch of exasperation, insomuch that good feelings have been almost extinguished, and the voice of reason and experience silenced, among the members of the confederacy. Let us separate the tariff from the agitating politics of the country, place it upon a stable and firm foundation, and allow our enterprising countrymen to demonstrate to the whole union, by their skilful and successful labors, the inappreciable value of the arts. If they can have, what they have never yet enjoyed, some years of repose and tranquillity, they will make, silently, more converts to the policy, than would be made during a long period of anxious struggle and boisterous contention. Above all, I count upon the good effects resulting from a restoration of the harmony of this divided people, upon their good sense and their love of justice. Who can doubt, that when passions have subsided, and reason has resumed her empire, that there will be a dispositon throughout the whole union to render ample justice to all its parts? Who will believe that any section of this great confederacy would look with indifference to the prostration of the interests of another section, by distant and selfish foreign nations, regardless alike of the welfare of us all? No, sir; I have no fears beyond 1842. The people of the United States are brethren, made to love and respect each other. Momentary causes may seem to alienate them, but, like family differences, they will terminate in a closer and more affectionate union than ever. And how much more estimable will be a system of protection, based on common conviction and common consent, and planted in the bosoms of all, than one wrenched by power from reluctant and protesting weakness?

That such a system will be adopted, if it should be necessary for the period of time subsequent to 1842, I will not doubt. But, in the scheme which I originally proposed, I did not rely exclusively, great as my reliance is, upon the operation of fraternal feelings, the return of reason, and a sense of justice. The scheme contained an appeal to the interests of the south. According to it, unmanufactured cotton was to be a free article after 1842. Gentlemen from that quarter have again and again asserted that they were indifferent to the duty of three cents per pound on cotton, and that they feared no foreign competition. I have thought otherwise; but I was willing, by way of experiment, to take them at their word; not that I was opposed to the protection of cotton, but believing that a few cargoes of foreign cotton introduced into our northern ports, free of duty, would hasten our southern friends to come here and ask that protection for their great staple, which is wanted in other sections for their interests. That feature in the scheme was stricken out in the select committee, but not by the consent of my friend from Delaware, [Mr. *Clayton*] or myself. Still, after 1842, the south may want protection for sugar, for tobacco, for Virginia coal, perhaps for cotton and other articles, whilst other quarters may need it for wool, woollens, iron and cotton fabrics; and these mutual wants, if they should exist, will lead, I hope, to some amicable adjustment of a tariff for that distant period, satisfactory to all. The theory of protection supposes, too, that, after a certain time, the protected arts will have acquired such strength and perfection as will enable them subsequently, unaided, to stand up against foreign competition. If, as I have no doubt, this should prove to be correct, it will, on the arrival of 1842, encourage all parts of the union to consent to the continuance of longer protection to the few articles which may then require it.

The bill before us strongly recommends itself by its equity and impartiality. It favors no one interest, and no one state, by an unjust sacrifice of others. It deals equally by all. Its basis is the act of July last. That act was passed after careful and thorough investigation, and long deliberation, continued through several months. Although it may not have been perfect in its adjustment of the proper measure of protection to each article which was supposed to merit it, it is not likely that, even with the same length of time before us, we could make one more perfect. Assuming the justness of that act, the bill preserves the respective propositions for which the act provides, and subjects them all to the same equal but moderate reduction, spread over the long space of nine years. The senator from Massachusetts contends that a great part of the value of all protection is given up by dispensing with specific duties and the principle of discrimination. But much the most valuable articles of our domestic manufactures (cotton and woollens, for example) have never enjoyed the advantage of specific duties. They have always been liable to ad valorem duties, with a very limited application of the minimum principle. The bill does not, however, even after 1842, surrender either mode of laying duties. Discriminations are expressly recognised below the maximum, and specific duties may also be imposed, provided they do not exceed it.

The honorable senator also contends that the bill is imperfect, and that the execution of it will be impracticable. He asks; how is the excess above 20 per cent. to be ascertained on coarse and printed cottons, liable to minimums of 30 and 35 cents, and subject to a duty of 25 per cent. ad valorem; and how is it to be estimated in the case of specific duties? Sir, it is very probable that the bill is not perfect, but I do not believe that there is any thing impracticable in its execution. Much will, however, depend upon the head of the treasury department. In the instance of the cotton minimums, the statute having, by way of exception to the general ad valorem rule, declared, in certain cases, how the value shall be estimated, that statutory value ought to govern; and consequently the 20 per cent. should be exclusively deducted from the 25 per cent. being the rate of duties to which cottons generally are liable; and the biennial tenths should be subtracted from the excess of five per cent. With regard to specific duties, it will, perhaps, be competent to the secretary of the treasury, in the execution of the law, for the sake of certainty, to adopt some average value founded upon importations of a previous year. But if the value of each cargo, and every part of it, is to be ascertained, it would be no more than what now is the operation in the case of woollens, silks, cottons above 30 and 35 cents, and a variety of other articles; and consequently there would be no impracticability in the law.

To all defects, however, real or imaginary, which may be supposed will arise in the execution of the principles of the bill, I

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oppose one conclusive, and, I hope, satisfactory answer. Congress will be in session one whole month before the commencement of the law; and if, in the mean time, omissions calling for further legislation shall be discovered, there will be more time then than we have now to supply them. Let us, on this occasion of compromise, pursue the example of our fathers, who, under the influence of the same spirit, in the adoption of the constitution of the United States, determined to ratify it, and go for amendments afterwards.

To the argument of the senator from Massachusetts, that this interest, and that and the other cannot be sustained under the protection beyond 1842, I repeat the answer that no one can now tell what may then be necessary. That period will provide for itself. But I was surprised to hear my friend singling out iron as an article that would be most injuriously affected by the operation of this bill. If am not greatly mistaken in my recollection, he opposed and voted against the act of 1824, because of the high duty imposed on iron. But for that duty, (and perhaps the duty on hemp), which he then considered threw an unreasonable burden upon the navigation of the country, he would have supported that act. Of all the articles to which protecting duties are applied, iron, and the manufactures of iron, enjoy the highest protection. During the term of nine years, the deductions from the duty are not such as seriously to impair those great interests, unless all my information deceives me; and beyond that period the remedy has been already indicated. Let me suppose that the anticipations which I form upon the restoration of concord and confidence shall be all falsified; that neither the sense of fraternal affection nor common justice, nor even common interests, will lead to an amicable adjustment of the tariff beyond 1842. Let me suppose that period has arrived, and that the provisions of the bill shall be interpreted as an obligatory pledge upon the congress of that day; and let me suppose also that a greater amount of protection than the bill provides is absolutely necessary to some interests, what is to be done? Regarded as a pledge, it does not bind congress for ever to adhere to the specific rate of duty contained in the bill. The most, in that view, that it exacts, is to make a fair experiment. If, after such experiment, it should be demonstrated that under such an arrangement of the tariff, the interests of large portions of the union would be sacrificed, and they exposed to ruin, congress will be competent to apply some remedy that will be effectual; and I hope and believe that, in such a contingency, some will be devised that may preserve the harmony and perpetuate the blessings of the union.

It has been alledged that there will be an augmentation, instead of a diminution of revenue, under the operation of this bill. I feel quite confident of the reverse; but it is sufficient to say that both contingencies are carefully provided for in the bill, without affecting the protected articles.

The gentleman from Massachusetts dislikes the measure, because it commands the concurrence of those who have been hitherto opposed, in regard to the tariff, and is approved by the the gentleman from South Carolina [Mr. *Calhoun*] as well as by myself. Why, sir, the gentleman has told us that he is not opposed to *any* compromise. Will he be pleased to say how any compromise can be effected, without a concurrence between those who had been previously divided, and taking some medium between the two extremes? The wider the division may have been, so much the better for the compromise, which ought to be judged of by its nature and by its terms, and not solely by those who happen to vote for it. It is an adjustment to which both the great interests in this country may accede without either being dishonored. The triumph of neither is complete. Each, for the sake of peace, harmony, and union, makes some concessions. The south has contended that every vestige of protection should be eradicated from the statute book, and the revenue standard forthwith adopted. In assenting to this bill, it waives that pretension—yields to reasonable protection for nine years; and consents, in consideration of the maximum of twenty per cent. to be subsequently applied, to discriminations below it, cash duties, home valuations, and a long list of free articles. The north and west have contended for the practical application of the principle of protection, regulated by no other limit than the necessary wants of the country. If they accede to this adjustment, they agree, in consideration of the stability and certainty which nine years' duration of a favorite system of policy affords, and of the other advantages which have been enumerated, to come down in 1842 to a limit not exceeding twenty per cent. Both parties, animated by a desire to avert the evils which might flow from carrying out into all their consequences the cherished system of either, have met upon common ground, made mutual and friendly concessions, and I trust, and sincerely believe, that neither will have hereafter occasion to regret, as neither can justly reproach the other with what may be now done.

This, or some other measure of conciliation, is now more than ever necessary, since the passage, through the senate, of the enforcing bill. To that bill, if I had been present, on the final vote, I should have given my assent, although with great reluctance. I believe this government not only possessed of the constitutional power, but to be bound, by every consideration, to maintain the authority of the laws. But I deeply regretted the necessity which seemed to me to require the passage of such a bill. And I was far from being without serious apprehensions as to the consequences to which it might lead. I felt no new born zeal in favor of the present administration, of which I now think as I have always thought. I could not vote against the measure; I would not speak in its behalf. I thought it most proper in me to leave to the friends of the administration and to others, who might feel themselves particularly called upon, to defend and sustain a strong measure of the administration. With respect to the series of acts to which the executive has resorted, in relation to our southern disturbance, this is not a fit occasion to enter upon a full consideration of them; but I will briefly say, that, although the proclamation is a paper of uncommon ability and eloquence, doing great credit, as a composition, to him who prepared it, and to him who signed it, I think it contains some ultra doctrines, which no party in this country had ventured to assert. With these are mixed up many sound principles and just views of our political systems. If it is to be judged by its effects upon those to whom it was more immediately addressed, it must be admitted to have been ill-timed and unfortunate. Instead of allaying the excitement which prevailed, it increased the exasperation in the infected district, and afforded new and unnecessary causes of discontent and dissatisfaction in the south generally. The message, subsequently transmitted to congress, communicating the proceedings of South Carolina, and calling for countervailing enactments, was characterised with more prudence and moderation. And, if this unhappy contest is to continue, I sincerely hope that the future conduct of the administration may be governed by wise and cautious counsels, and a parental forbearance. But when the highest degree of animosity exists; when both parties, however unequal, have arrayed themselves for the conflict, who can tell when, by the indiscretion of subordinates, or other unforseen causes, the bloody struggle may commence? In the midst of magazines, who knows when the fatal spark may produce a terrible explosion? And the battle once begun, where is its limit? What latitude will circumscribe its rage? Who is to command our armies? When and where, and how, is the war to cease? In what condition will the peace leave the American System, the American union, and, what is more than all, American liberty? I cannot profess to have a confidence, which I have not, in this administration; but if I had all confidence in it, I should still wish to pause, and, if possible, by any honorable adjustment, to prevent awful consequences, the extent of which no human wisdom can foresee.

It appears to me then, Mr. President, that we ought not to content ourselves with passing the enforcing bill only. Both that and the bill of peace seem to me to be required for the good of our country. The first will satisfy all who love order and law, and disapprove the inadmissible doctrine of nullification. The last will soothe those who love peace and concord, harmony and union. One demonstrates the power and the disposition to vindicate the authority and supremacy of the laws of the union; the other offers that which, if it be accepted in the fraternal spirit in which it is tendered, will supercede the necessity of the employment of all force.

There are some who say let the tariff go down; let our manufactures be prostrated, if such be the pleasure, at another session, of those to whose hands the government of this country is confided; let bankruptcy and ruin be spread over the land; and let resistance to the laws, at all hazards, be subdued. Sir, they take counsel from their passions. They anticipate a terrible reaction from the downfall of the tariff, which would ultimately re-establish it upon a firmer basis than ever. But it is these very agitations, these mutual irritations between brethren of the same family, it is the individual distress and general ruin that would necessarily follow the overthrow of the tariff, that ought, if possible, to be prevented. Besides, are we certain of this reaction? Have we not been disappointed in it as to other measures heretofore? But suppose, after a long and embittered struggle, it should come, in what relative condition would it find the parts of this confederacy? In what state our ruined manufactures? When they should be laid low, who, amidst the fragments of the general wreck, scattered over the face of the land, would have courage to engage in fresh enterprises, under a new pledge of the violated faith of the government? If we adjourn, then, without passing this bill, having entrusted the executive with vast powers to maintain the laws, should he be able by the next session to put down all opposition to them, will he not, as a necessary consequence of success, have more power than ever to put down the tariff also? Has he not said that the south is oppressed, and its burdens ought to be relieved? And will he not feel himself bound, after he shall have triumphed, if triumph he may in a civil war, to appease the discontents of the south by a modification of the tariff, in conformity with its wishes and demands? No, sir; no, sir; let us save the country from the most dreadful of all calamities, and let us save its industry, too, from threatened destruction. Statesmen should regulate their conduct and adapt their measures to the exigencies of the times in which they live. They cannot, indeed, transcend the limits of the constitutional rule; but, with respect to those systems of policy which fall within its scope, they should arrange them according to the interests, the wants, and the prejudices of the people. Two great dangers threaten the public safety. The true patriot will not stop to inquire how they have been brought about, but will fly to the deliverance of his country. The difference between the friends and the foes of the compromise, under consideration, is, that they would, in the enforcing act, send forth alone a flaming sword. We would send out that also, but along with it the olive branch, as a messenger of peace. They cry out, the law! the law! the law! Power! power! power! We, too, reverence the law, and bow to the supremacy of its obligation; but we are in favor of the law executed in mildness, and of power tempered with mercy. They, as we think,

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would hazard a civil commotion, beginning in South Carolina and extending God only knows where. While we would vindicate the authority of the federal government, we are for peace, if possible, union and liberty. We want no war, above all, no civil war, no family strife. We want to see no sacked cities, no desolated fields, no smoking ruins, no streams of American blood shed by American arms!

I have been accused of ambition in presenting this measure. Ambition! inordinate ambition! If I had thought of myself only, I should have never brought it forward. I know well the perils to which I expose myself; the risk of alienating faithful and valued friends, with but little prospect of making new ones, if any new ones could compensate for the loss of those whom we have long tried and loved; and the honest mis-conceptions both of friends and foes. Ambition! If I had listened to its soft and seducing whispers; if I had yielded myself to the dictates of a cold, calculating, and prudential policy, I would have stood still and unmoved. I might even have silently gazed on the raging storm, enjoyed its loudest thunders, and left those who are charged with the care of the vessel of state to conduct it as they could. I have been heretofore often unjustly accused of ambition. Low, grovelling souls, who are utterly incapable of elevating themselves to the higher and nobler duties of pure patriotism—beings, who, forever keeping their own selfish aims in view, decide all public measures by their presumed influence on their aggrandizement, judge me by the venal rule which they prescribe to themselves. I have given to the winds these false accusations, as I consign that which now impeaches my motives. I have no desire for office, not even the highest. The most exalted is but a prison, in which the incarcerated incumbent daily receives his cold heartless visitants, marks his weary hours, and is cut off from the practical enjoyment of all the blessings of genuine freedom. I am no candidate for any office in the gift of the people of these states, united or separated; I never wish, never expect to be. Pass this bill, tranquilise the country, restore confidence and affection in the union, and I am willing to go home to Ashland, and renounce public service forever. I should there find, in its groves, under its shades, on its lawns, amidst my flocks and herds, in the bosom of my family, sincerity and truth, attachment and fidelity, and gratitude, which I have not always found in the walks of public life——*Yes, I have* ambition, but it is the ambition of being the humble instrument, in the hands of Providence, to reconcile a divided people, once more to revive concord and harmony in a distracted land—the pleasing ambition of contemplating the glorious spectacle of a free, united, prosperous and fraternal people!

*Note by the editors of the National Intelligencer.* This is the only sketch of any thing said by Mr. C. and published by us during the late session, which has undergone his correction. It embraces not only what he said in reply to Mr. *Webster*, but several observations made by him on other occasions during the progress of the bill.

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## REMARKS OF MR. DAVIS, OF MASS.

On the amendment proposed by Mr. *Letcher* to the bill for altering and modifying the tariff. Delivered in the house of representatives, Feb. 25, 1833.

*Mr. Speaker:* I am greatly surprised at the sudden movement made in this house. One short hour ago, we were collecting our papers, and putting on our out-side garments to go home, when the gentleman from Kentucky rose, and proposed to send this bill to a committee of the whole on the state of the union, with instructions to strike it all out, and insert, by way of amendment, an entire new bill, formed upon entirely different principles; yes, to insert, I believe, the bill which the senate now have under consideration. This motion was carried—the business has passed through the hands of the committee—is now in the house, and there is a cry of question, question, around me, upon the engrossment of the bill. Who that was not a party to this arrangement, could one hour ago have credited this? We have, I believe, been laboriously engaged for eight weeks upon this topic, discussing and amending the bill which has been before the house. Such obstacles and difficulties have been met at every move, that, I believe, *very* little hope has of late been entertained of the passage of any bill. But a gleam of light has suddenly burst upon us—those that groped in the dark seem suddenly to see their course—those that halted, doubted, hesitated, are in a moment made firm—and even some of those that have made an immediate abandonment of the protective system a *sine qua non* of their approbation of any legislation, seem almost to favor this measure. I am obliged to acknowledge that gentlemen have sprung the proposition upon us at a moment when I did not expect it. And as the measure is one of great interest to the people of the United States, I must, even at this late hour, when I know the house is both hungry and impatient, and when I perceive, distinctly, it is their pleasure to vote rather than debate, beg their indulgence for a few minutes, while I state some of the reasons which impose on me the duty of opposing the passage of this act. [Cries from different parts of the house, "go on, go on, we will hear."]

Mr. Speaker, I do not approve of hasty legislation under any circumstances, but it is especially to be deprecated in matters of great importance. That this is a measure of great importance, affecting, more or less, the entire population of the United States, will not be denied, and ought, therefore, to be matured with care, and well understood by every gentleman who votes upon it. And yet, sir, a copy has, for the first time, been laid upon our tables, since I rose to address you—and this is the first opportunity we have had even to read it. I hope others feel well prepared to act in this precipitate manner; but I am obliged to acknowledge I do not; for I hold even the best of intentions will not, in legislation, excuse the errors of haste.

I am aware that this measure assumes an imposing attitude. It is called a bill of compromise—a measure of harmony—of conciliation—a measure to heal disaffection—and to save the union. Sir, I am aware of the imposing effect of these blond titles—men love to be thought generous, noble, magnanimous—but they ought to be equally anxious to acquire the reputation of being just. While they are anxious to compose difficulties in one direction, I entreat them not to oppress and wrong the people in another. In their efforts to save the union, I hope their zeal will not go so far as to create stronger and better founded discontents, than those they compose. Peace makers, mediators, men who allay excitements and tranquilise public feeling, should above all considerations, study to do it by means not offensive to the contending parties, by means which will not inflict a deeper wound than the one which is healed. Sir, what is demanded by those that threaten the integrity of the union? An abandonment of the American System; a formal renunciation of the right to protect American industry. This is the language of the nullification convention; they declare they regard the abandonment of the principle, as vastly more important than any other matter; they look to that and not to an abatement of duties without it; and the gentleman from South Carolina, (Mr. *Davis*), with his usual frankness, told us this morning it was not a question of dollars and cents; the money they regarded not, but they required a change of policy. They demand the pound of flesh, with the unyielding obstinacy of Shylock, and they require this house to apply the knife nearest to the heart—and shall it be cut away? Is it patriotic? Is it harmonising public feeling? is it saving the union to drain out the life blood? What is this bill? I will not say it goes at once to such extremities, but it seems to me to contain a principle which works an unqualified abandonment of the protective policy, unless changes greater than we have a right to look for shall take place in our condition.

It proposes to descend, by a reduction once in two years of two tenths of the excess of duties, over and above twenty per cent. for nearly eight years. It then proposes to divide the residue of such excess into two equal parts, and to remove the whole in two years, so that all duties on all imports, will be run down to a level of 20 per cent. ad valorem, in between nine and ten years. The first part of the descent may be termed gradual; but in the last two years, the strides are, I fear, decidedly too long to be met by any preparation for them. Our course, then, is down hill during this time, wearing out the American System, and when we arrive at the foot, we pass out from under the protection of that parental benefactor, and place ourselves under the guardianship of the Carolina system—I say from the American to the Carolina system, because duties which are now below 20 per cent. are to be raised to that amount, and all free articles, with the exception of an unimportant list of dye stuffs, are to be subjected to duties. Duties are, therefore, at the end of our declivitous course, to fall on all imported merchandise at an equal rate of twenty per cent. This is the Carolina system.

What will be the effect of this bill? The protection will be diminished from year to year. This will check the operations of capital—it will I fear stop investments, if it does not crush that enterprising, valuable class of young men who have entered upon business, relying upon their industry and capacity to carry them forward. They are in debt, and I fear timid creditors may fall upon them. Business then will be brought to a stand at any rate, and if bankruptcies ensue, will be diminished. This is precisely what some interested in manufacturing are selfish enough to desire, for they have money—wages will be cheaper, if a portion of the mills cease to run, and no new ones are erected, and the capitalists will by this means, in the end, gain more by a diminution in the competition in business, and the reduction in wages, than they will lose by the reduction in duties. But, sir, this is a policy founded in such naked selfishness—it is built up so manifestly at the expense of those who have small capital, and of the laborers—it is so hostile to the first principles of protection which invite the free investment of capital from all quarters—that goods may be made cheap by the competition, and the public be thus benefitted—that no friend of American labor can give it his approbation on that ground. It may answer for a time the purposes of a few, if it operates as they anticipate; but should this prove so, it will be an unanswerable argument with the public for disapproving of it, for the causes which will make the measure valuable to some, will make it injurious to the public.

Again, sir, I can vote for no bill which abandons protection. I think this does. It adopts the Carolina system for equalizing duties, by bringing them all to 20 per cent. It abandons the exercise of all right to discriminate, and in that, give me leave to say, abandons common sense, for the system of equalization has never to my knowledge, until now, found an advocate among financiers or political economists. It is, however, a very cunningly devised plan, and worthy of its origin, (Gallatin in the free trade report), for it contains a sweet poison that will destroy the last remnant of protection. Who ever heard of so absurd a system as equalizing duties? What, impose the same duties on ardent spirits as upon tea and coffee? But why do the free traders desire an equalization? Why do they insist

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that the duty on hats, on shoes and boots, on leather, on scythes, hoes and axes, shall be reduced to 20 per cent.? Why do they at the same time insist that there shall be a duty of 20 per cent. on tea and coffee, pepper, spices, fruits, and a thousand other things which we do not, and never shall produce, and which are now free of duty? It is to level all protection with the dust. They start with the proposition that the public debt is paid, that we have too much revenue, and it must be reduced. We have always contended, not that the revenue shall not be reduced, for we are not the advocates of an accumulating surplus, but that it shall be reduced by letting goods in free, or by diminishing the amount of duty when the whole cannot be spared, and that this principle shall be applied to merchandise not produced in this country, that our labor may have the benefit of the revenue as a protection. While we contend that the revenue shall be levied in this manner, the free traders insist that nothing shall be free—and that the duty on all shall be alike. The revenue, say they, is too abundant, and must be reduced. The bill before us, as reported by the committee of ways and means, is for that purpose. What a happy mode of reducing the revenue, to diminish the duty on hats, shoes, boots, leather, axes, &c. from 30 per cent. and more, to 20 per cent. when the articles are so entirely produced here, under the present protection, that none are imported, and no revenue is realised. Is not the direct and obvious effect of such a reduction, an experiment, to see if the foreign articles cannot be introduced and the revenue increased instead of diminished? It is a still more singular mode of reducing revenue to restore the duties on articles which are free. Sir, the farmers, the mechanics, the manufacturers cannot be blind to such an insidious scheme. They will not fail to discover that the reductions of duty on a vast variety of articles produced wholly in this country are made under a false pretence of reducing the revenue; and that the restoration of duties to free articles is also made under the delusive pretence of making taxes more equal. It will not escape their observation that this crafty plan of reducing revenue is apparently devised for the purpose of overstocking the treasury, and creating a surplus from year to year, so as to call for further and further reductions, till you come, as the politicians of South Carolina declare you shall, to twelve and a half per cent. Is it not plain that an equalization gives the least protection which the industry can possibly have, unless you make the duties on articles which we do not produce, higher than you rate them on such as we do produce? When you have arrived at twenty per cent. if there is a surplus, you have, I believe, the right to discriminate below that; but of what value is such a right? Twenty per cent. ad valorem upon the foreign cost—what is that? Go to the officers of the custom house in New York, who witness the daily frauds and impositions of importers. Go to the head of that establishment who it is said declared openly in this city, it was a rail road for legalised smuggling, and inquire what a twenty per cent. ad valorem duty, or any other ad valorem duty is? And if they tell you the truth, it will be, that it is whatever the importer chooses to have it.

This bill, after we have made our descent *facilis descensus Averni*, carries us into the free trade system, which may be summed up under three heads.

1. All specific duties are abolished, and all duties are to be ad valorem; all free traders, and especially the Yorkshire men and Lancashire men of England, have always earnestly contended for this. For what reason, it is difficult to imagine, unless it is because frauds are perpetrated with greater facility.

2. All duties are to be equal, and to be assessed upon all imports, except a few articles of little importance, and consequently the discriminating principle is abandoned.

3. The gradual reduction which is professedly made to reduce revenue, is applied to all articles; as well those on which no revenue is raised, as those which produce revenue; thus tending by every reduction to bring the American producer into greater peril at every step. If this be not a total, unqualified abandonment of the protective policy, unless 20 per cent. is protective, then I know not what is an abandonment. The bill, it is true, provides that after we come to the 20 per cent. ad valorem, the duty is to be assessed on the valuation in the home market. About the meaning of this, however, there is already a dispute. The south say it means the price of the goods by the duties and charges; that is, it means the foreign cost; and a distinguished gentleman declared in debate distinctly, that he supported the bill upon that exposition of its meaning. If this be a true interpretation, the provision is worth nothing. That valuation is to be regulated by law, according to the terms of the bill, and what that regulation will prove to be, no one can foresee.

Sir, I regret that discontent and signs of violence have manifested themselves in this country; but I am not disposed to meet it with a faint heart, or to falter for a moment in support of the union and constitution. I would face these disturbers of the public tranquillity on their own ground, and accede to the general proposition that the revenue shall be reduced to the demands of the government; but the amount of expenditure shall be fixed by congress, and not by South Carolina; and the revenue should be raised in such a manner as to give the most efficient protection to American labor. For one, sir, while I would do South Carolina justice, ample justice, I would not destroy the union by attempting to save it. I would not bring the power of congress and the constitution into contempt, by establishing a precedent, that a little knot of uneasy, discontented politicians can, by threatening to dissolve the union, make the government itself bow down, humble itself in the dust, abandon its policy, and promise in future to give no offence. If these are the terms on which the union exists, if this government holds and exercises its powers upon such contingencies as these, I was about to say, the sooner the union is at an end the better; for the rude breath of treason will dissolve it at any moment. But, sir, whether South Carolina is well or ill pleased, whether she declares herself in our out of the union, I am not prepared on any compromise, to give up the protective policy; and I do contend, that an equalization of duties as low, or lower than 20 per cent. protection, are incompatible. Yes, when you surrender the right to discriminate, you surrender all.

This is a bill to tranquilise feeling—to harmonise jarring opinions—it is oil poured into inflamed wounds—it is to definitively settle the matters of complaint. What assurance have we of that? Have those who threaten the union accepted it? Has any one risen here in his place and announced his satisfaction and his determination to abide by it? Not a word has been uttered, nor any sign or assurance of satisfaction given. Suppose they should vote for the bill, what then? They voted for the bill of July last, and that was a bill passed expressly to save the union; but did they not flout at it? Did they not spurn it with contempt? And did not South Carolina, in derision of that compromise, nullify the law? This is a practical illustration of the exercise of a philanthropic spirit of condescension to save the union. Your folly and your imbecility was treated as a jest. It has already been said that this law will be no more binding than any other; and may be altered and modified at pleasure by any subsequent legislature. In what sense, then, is it a compromise? Does not a compromise imply an adjustment on terms of agreement? Suppose, then, that South Carolina should abide by the compromise while she supposes it beneficial to the tariff states, and injurious to her; and when that period shall close, the friends of protection shall then propose to re-establish the system. What honorable man, who votes for this bill, could sustain such a measure? Would not South Carolina say, you have no right to change this law—it was founded on compromise—you have had the benefit of your side of the bargain, and now I demand mine. Who could answer such a declaration? If, under such circumstances you were to proceed to abolish the law, would not South Carolina have much more just cause of complaint and disaffection than she now has?

It has been said, we ought to legislate now, because the next congress will be hostile to the tariff. I am aware that such a sentiment has been industriously circulated, and we have been exhorted to escape from the hands of that body as from a lion. But, sir, who knows the sentiments of that body on this question? Do you, or does any one, possess any information which justifies him in asserting that it is more unfriendly than this house? There is, in my opinion, little known about this matter. But suppose the members shall prove as ferocious towards the tariff as those who profess to know their opinions represent, will the passage of this bill stop their action? Can you tie their hands? Give what pledges you please, make what bargains you may, and that body will act its pleasure about respecting them. If you fall short of their wishes in warring upon the tariff, they will not stay their hand; but all attempts to limit their power by abiding compromises, will be considered by them as a stimulus to act upon the subject, that they may manifest their disapprobation. It seems to me, therefore, that if the next congress is to be feared, we are pursuing the right course to rouse their jealousy and exert them to action.

Mr. Speaker, I rose to express my views on this very important question, I regret to say, without the slightest preparation, as it is drawn before us at a very unexpected moment. But, as some things in this bill are at variance with the principles of public policy which I have uniformly maintained, I could not suffer it to pass into a law, without stating such objections as have hastily occurred to me.

Let me, however, before sitting down, be understood on one point. I do not object to a reasonable adjustment of the controversies which exist. I have said repeatedly on this floor, that I would go for a gradual reduction on protected articles; but it must be very gradual, so that no violence shall be done to business; for all reduction is necessarily full of hazard. My objections to this bill are not so much against the first seven years; for I would take the consequences of that experiment, if the provisions beyond that were not of that fatal character which will at once stop all enterprise. But I do object to a compromise which destines the east for the altar. No victim, in my judgment, is required—none is necessary; and yet you propose to bind us, hand and foot, to pour out our blood upon the altar, and sacrifice us as a burnt offering, to appease the unnatural and unfounded discontent of the south—a discontent, I fear, having deeper root than the tariff, and will continue when that is forgotten. I am far from meaning to use the language of menace, when I say, such a compromise cannot endure; nor can any adjustment endure which disregards the interests, and sports with the rights of a large portion of the people of the United States. It has been said, that we shall never reach the lowest point of reduction, before the country will become satisfied of the folly of the experiment, and will restore the protective policy; and it seems to me a large number in this body act under the influence of that opinion. But I cannot vote down my principles, on the ground that some one may come after me who will vote them up.

Mr. Speaker, I have done my duty, in an imperfect manner, I confess; but I perceive it is in vain to discuss the matter, and I will detain the house no longer.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 7—VOL. VIII. BALTIMORE, APRIL 13, 1833. [VOL. XLIV. WHOLE No. 1,125.

THE PAST—THE PRESENT—FOR THE FUTURE.

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☞The time seemed so properly fitted to give a sketch of the speech of Mr. *McDuffie*, in the South Carolina convention, that we have inserted it. There are points made in this speech which are of deep interest to the voluntary, or free laboring classes;—and our reading of this speech clearly shews the opinion of Mr. McDuffie, that these have been reduced to a close, or much closer, approximation to the condition of the involuntary, or slave laboring classes, than heretofore. If those interested in the latter deserve success for the steadiness and fidelity with which they have pursued their purposes, what shall be said of the former, who, divided and huzzaing, have been "nailed down to the counter like base money?" They were told what would happen; and, as we apprehend, must reap the harvest which they sowed to the whirlwind! When they feel—they will believe; but belief may come too late, if the enemy acts wisely. We would, however, that this *feeling* had come upon them, at once—while *strength* remained to "correct the procedure," and that every one might surely know the real cause of reduced wages for labor, and increased prices of goods. But they are doomed to understand this seeming paradox. They will know the meaning of the word COMPETITION, and find out that cost to a consumer is exactly proportioned with his ability to obtain—that high prices and low prices are only comparative terms—that the *money-value* of an article has no necessary connection with its *real value;* that diamonds may be advantageously exchanged for an equal number of potatoes, and a quart of gold coin be "judiciously" sold for a quart of wholesome water.

☞We publish an interesting note from Mr. *Carey* to the editor of the United States Telegraph—but have no intention of renewing a discussion of the subject to which it relates—at present.

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☞We hope that the *privilege* of making exchanges of papers with whom we please (when editors are pleased to exchange with us), may be permitted! Our list is a great deal too heavy—for, as has been more than once observed, the reception of a newspaper imposes a sort of obligation to examine it—and much time is thus expended without profit; and yet we have been roughly scolded by some, because that we have reduced our exchanges. A further reduction must be made—and we wish all persons interested to believe, that, when the REGISTER ceases to reach them (allowance being made for the irregularity of the mails), an exchange is declined.

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GOOD! The saying, that "Satan can quote scripture," is strictly applicable to the following. Our kind neighbors in Canada have not only grossly abused us because of our protecting system, but rendered their best services to "nullify" it by smuggling, and other fraudulent operations: but when the principle of that system comes home to themselves, they perfectly understand it! So will *South Carolina*—when American cotton shall be taxed 3*d*. per lb. in England, and East India cotton be admitted free of duty; the supply of the latter being adequate to the whole demand, and its quality rendered equal, at least, to our Uplands—both which will probably be the case, very soon after the expiration of the East India company's charter.

The Quebec papers complain of an alleged project of the British government to alter the duties, in the United Kingdom, which give preference to the *timber* of the colonies. The Mercury observes—

"The lumber trade has been created and grown under the protection. Its destruction would be ruinous to the individuals engaged in the trade, and injurious to the country generally, to the agricultural population of which, the persons employed in the trade, at present, form the principal consumers in the colony who are able to pay for what they consume."

It was "abominable"—in the United States, to levy high duties on British cottons and cloths, that *American* farmers might have a domestic market for their bread-stuffs and meats—seeing that Britain, (for one out of an hundred examples, and the first on the list), imposes a duty of 8*s*. 4*d*. the piece on "anchor stocks," if imported from the United States, but of only 10*d*. if imported from Canada*—but it is perfectly right, and sound political economy, in Britain, to keep up the *ten times greater duty*, and so forbid the use of anchor stocks from the United States, that *Canadian* farmers may have a market for their products!

And the pricked bull-calf begins to roar! Aye, the Old Bull, himself, will roar, when he shall honestly "*practice on those maxims which he recommends to others!*"

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THE ENGLISH "SYSTEM." A letter dated Liverpool, February 23, says—"The evil with the people in Ireland is the want of food. Statutes and bayonets and gunpowder therefore cannot cure the evil; they are not the remedy. To kill is no cure. The great cause of all the misery in Ireland is, (not parsons and churches and priests, laws, Catholics or Protestants), but the consumption in England of all the staple productions of Ireland, without an equivalent return to that country, to be diffused among its people, in the promotion of arts and manufactures. *All the crops of Ireland are expended among the manufacturers and artizans of England, evidently precluding the people of Ireland from similar employment.* Thus whilst industry is fattened in England by the nutritious produce of Ireland, the people of that country grow lean for the want of it."

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"FREE TRADE." A trial at law has just been decided in favor of the corporation of Liverpool, plaintiff, against Bolton, Ogden & Co. representing the American merchants of that city. The action was to try the right of the city to "exact certain duties and tolls upon all goods coming from abroad, consigned to persons *not freemen* of the city." This decision will take out of the pockets of the American merchants about 60,000 pounds a year—and this is equivalent to a bounty to that amount in favor of British traders. The house of Bolton, Ogden & Co. are said to pay at least five thousand dollars a year to the corporation for their duties.

☞The American merchants at Liverpool pay an alien tax which amounts to nearly three hundred thousand dollars a year. If the drab-gaitered gentlemen and other English adorers of "free trade" doing business in New York, were taxed at the same rate, that great city would not, perhaps, need any other revenue, much is said about the prodigal expenditures of the corporation! But, though such taxes are very right on Father Bull's side of the Atlantic, they are very wrong on Brother Jonathan's side: so nullification and secession would be treason, if practiced north of the Potomac—but are strictly constitutional, when entertained south of that river.

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THE CHOLERA awfully prevailed at Havana, at the date of our latest accounts from that city. From the 24th of Feb. when it first appeared, up to the 24th of March, it was believed that *five thousand persons* had died—1,000 whites and 4,000 blacks. On the day before the sailing of a schooner which has arrived at Baltimore, five hundred persons are said to have died. It was feared that many premature interments had taken place. Several persons, on their way to the grave, were roused by the jolting of the dead carts, in which they had been placed!

One individual had lost 30 out of 200 slaves! All sorts of business were suspended, except in relation to the sick and the dead. The captain general had ordered discharges of artillery to purify the atmosphere. The sale of specifics for the cholera had been prohibited.

This fearful disease has reached Matanzas. If it shall take a course through the West Indies, generally, what will be the state of Jamaica and the other British Islands, in the present calamitous and awful condition in which they are otherwise placed?

The accounts of the sick, in the hospitals at Havana, are, indeed, awful. They were wretchedly provided for—and rather packed in rooms than accommodated, and their bodies were

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*It is thus with respect to every article of wood which the British colonies can supply; and we might fill a whole page with things like the following, from the present British tariff:

Deals, 7 inches wide, not exceeding 45 feet long, and 3½ inches thick—£44, or 211 dollars, the 120. But the same if imported from a British possession, and not more than 4 inches thick, £5 or 24 dollars the 120. The quantity in the latter is 1-7th more than in the former, yet the duty is only a little more than one-ninth part.

Handspikes, of a certain size, £4 or $19 20 the 120: the same imported from a British possession, 5*s*. or $1 20 the 120!

But it is, perhaps, altogether useless to refer to these things.



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buried in holes, without coffins or winding sheets. Brandy was drank in large quantities as a preventive of the disease!

The interments in the Campo Santo, the principal burying ground at Havana, on the 22d March, amounted to 333—the whole number was hardly less than 500, that day. The city, however, was nearly deserted, and the mortality would, of course, decline.

LIBERIA. We have good accounts from the colony of free blacks, and means have considerably accumulated to give energy to emigration and secure the comfort of worthy persons, who seek the land of their ancestors that they and their children may have rank in society, according to real merit—without regard to the color of their skins! The beginning of a great nation has, probably, commenced—which, though it may not do much to relieve the United States of a species of population which is feared in some parts of our country, and degraded in all—still an opportunity is presented by which holders of slaves may liberate them, without those difficulties and dangers which attend this proceeding in all the southern states, and also enabled to entertain a hope that their condition will be improved. A want of confidence as to the latter, has prevented the emancipation of tens of thousands of individuals—and we think it is pretty clear, that emancipation, in the slave-holding states, without removal, is not productive of a general benefit to persons of color.

By the 16th annual report of the colonization society, it appears that the receipts of the society for the last year, have been $12,397 10; balance on hand from the last year, $11,090 15. $2,420 19 were received from England, and $5,180 paid by the managers of the Maryland fund. The expenditures have been for the same period, $52,644 22, viz: for transportation of emigrants and supplies for the colony, $36,892 07; salaries of agents, &c. $10,168 53; printing, $3,268 13; tuition of four young men for physicians at Liberia, $981 06. The whole number of emigrants transported to Liberia during the last year, is 790; of which number, 247 were manumitted slaves. A legacy of $10,000, from the estate of the late judge Workman, of Louisiana, and the same sum from the late Mr. Ireland, of New Orleans, and $1,000 by the late col. Rutgers, of New York city, attest the growing interest and favor with which this society is regarded.

The managers of the Maryland state fund in the last year sent out 175 persons—viz. 29 to Hayti and 146 to Liberia; 20 of the latter being manumitted for the purpose. A much larger emigration is expected in the current year—453 persons are known to be manumitted, some at prospective periods, for this purpose.

Virginia has appropriated $18,000 a year, for 5 years, for the removal of persons who are now free, and born and residing in the state. The emigration to be under the ultimate charge of the American colonization society, at certain rates of compensation for expenses incurred, &c.

As instances of what is going on—the following may be mentioned:

The rev. Richard Bibb, of Kentucky, has liberated thirty two of his slaves—furnished them with clothing, besides 444 dollars in money, and sent them to Liberia.

A party of colored emigrants left Louisville, Ky. on the 22d ult. for Liberia. It numbered one hundred and six persons, ninety-six of whom were manumitted in Kentucky, four were from East Tennessee, and the others were free. Among the latter is an emigrant from Brown county, Ohio, who goes out as a representative of three hundred persons in that county, who contemplate emigrating to Liberia, provided his report be favorable. The emigrants left Louisville in high spirits, having been liberally provided with money and provisions by the people of Kentucky. They were to be conveyed to New Orleans free of expense, in the elegant steam boat Mediterranean, accompanied by the secretary of the Kentucky colonization society. At New Orleans the charge of the emigrants will be assumed by Mr. Savage, of Ohio, who will accompany them to Liberia.

One or more large parties have left Tennessee—well supplied and liberally provided for.

The military force of the colony consists of nearly 800 men—well disciplined and fitted for service, if needed. This force might be increased on an emergency—but would appear sufficient for the defence of the colony.

A late number of the "African Repository," which is published at Washington, contains the proceedings of a meeting held at Chesterfield, Derbyshire (England), which was addressed by Elliott Cresson, esq. of Philadelphia, an agent of the American colonization society, in an able and eloquent manner. In the course of his remarks he stated the particulars of the purchase of Cape Mesurado, which if not wholly new, cannot fail of imparting interest, even at the present time.

"An American vessel, he said, trading on that coast was driven off by weather, with six Kroomen on board, whom they carried to Baltimore, where Elisha Tyson, an elder of the society of Friends, and general Harper, (a Catholic), each took three of them under their protection. The Rev. Ebenezer Burgess, and rev. S. J. Mills, (the agents of the society), took great interest in these expatriated Kroomen, and through their representations, the late American president Monroe, was induced to order a sloop of war to carry the Kroomen to their native land.—A plentiful provision of clothing was given to them, and they embarked for Africa, accompanied by these gentlemen. The captain of the vessel was unacquainted with the coast, but the Kroomen soon recognised it, and it is easy to imagine their joyful feelings, when they found that they were carried back to their homes, instead of that slavery to which so many of their countrymen had been devoted. They saw familiar objects from the vessel's deck—suddenly two of them were observed to be struck with the appearance of an old grey-headed African on the shore—they shouted with joy—he plunged into the waves, swam to the vessel, and threw himself into their arms,—a pantomime of perfect joy succeeded—he was their father! They told how kindly they had been treated; they shewed him the garments which generosity had given them, and they said, in their language of unaffected simplicity, that the "white face" had given them "too much good." The news soon spread; their happy return was noised about; the native chiefs, struck with the contrast between these and other white men, proffered their soil as the future home of manumitted Africans; the purchase was made, (after the peaceful manner of Penn with the American aborigines), and the colony of Liberia, thus literally sprung on the ruins of slavery."

THE SUSQUEHANNAH. The navigation of this noble stream is much injured by various dams, for the supply of the Pennsylvania canals, or to force the river trade out of its natural direction. A late Harrisburg paper had the following paragraph concerning one of these dams:

"We learn that a portion of the Muncy dam has been torn down, not by the ice and flood, but by the hands of the raftmen. Six arks were sunk in passing the dam on Friday and Saturday last, and on Monday a company of raftment demolished a sufficient portion of one end of the dam to admit rafts and arks through with safety. Thus while the legislature are appropriating millions to construct *useless* canals along our navigable streams, the people are *nullifying* their acts by tearing down their work. We want no stronger evidence of the truth of what we have always asserted, that the canals along our navigable streams were not only useless but oppressive."

SMALL BANK NOTES. Georgia has followed the lead of several other states and prohibited the circulation of bills under five dollars. It has, for some years, been thus in Maryland, and we have experienced no sort of inconvenience, except because that five dollars, in specie, are more than a person wishes to carry about him, on account of their weight. Perhaps three dollar bills might be advantageously allowed.

RAIL ROADS, &c. A rail road is to be constructed from Providence to Stonington, Connecticut, in continuation of the road from Boston. Thus will the difficult voyage round Point Judith be avoided, and Boston be rendered only about twelve hours distant from New York; and when the rail road from Baltimore to Washington shall be finished, the journey from Boston to the seat of the national government may be made in about or less than thirty continuous hours, without fatigue: plenty of time being allowed for sleep in the steam boats, though comfortable naps may be taken in the rail-road coaches, if desired. We wish that there was power in the general government to assist in such works!—and especially in those parts of the country where the local population and capital are insufficient to accomplish them. There is a "consolidation" in such improvements which the greatest sticklers for "state rights" should not object to: and besides, in many sections, they are much needed for public purposes. Perhaps, had even the present works existed at the commencement of the late war, a much larger sum of money than the whole cost of them would have been saved, in charges for public transportations and waste of time, as well as of goods—to say nothing about other advantages, yet more important.

The Charleston rail road is finished and available for transportation and travelling for a distance of seventy-two miles. A locomotive engine traversed the line last week, with the mail, several passengers and three or four tons of iron, in six hours, or at the average rate of twelve miles an hour.

With a continuous line of steam boats and rail road carriages, the journey between New York and Baltimore might now be accomplished in seventeen hours. When locomotives shall be placed upon the New Jersey rail road, only about fifteen hours will be required. In two or three years, it is probable that the distance between New York and Washington will be performed, by ordinary travelling, in seventeen hours.

Two new steam engines from England, the *Liverpool* and *Pioneer*, have been placed on the Petersburg rail road. The Intelligencer says—

As an evidence of the power and speed of these engines, it is only necessary to state the fact, that on Monday morning last, a party of gentlemen left town at half past nine o'clock, in the coaches drawn by the "PIONEER," for the purpose of attending Greenville court, and remained at the court house about two hours and a half, and returned to town by six o'clock in the evening—the whole distance being 82 miles. When the necessary delays at the several depots are taken into consideration this trip will, we think, justify the assertion that they cannot "order these things better in France."

The (Baltimore) American of Tuesday last has a daily account of the receipts on the Baltimore and Ohio rail road, for the transportation of passengers and goods, from the 26th March to 5th April inclusive. The largest receipt was on the 3d April, $884 60—the least on the 27th March, $676 47—aggregate of the

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ten days $7,547 91—daily average $754 79. And it is suggested, and, we think reasonably, that when the road shall reach even Harper's Ferry, its business will be doubled. Horse power is, at present, employed—but it is expected that steam will soon be exclusively used.

A Philadelphia paper says—The new engine built by the West Point foundry association, at New York, has been placed on the Philadelphia, Germantown and Norristown rail road, and after severe and repeated trials has been found completely to answer the expectations of the managers. Two engines are now in successful operation on this road, and their continual passing and re-passing each other, with their trains of cars, at great speed, afford a spectacle at once highly novel and interesting to our citizens. We understand the road is now in such excellent order, and the arrangements so well conducted, as to insure punctuality and despatch to visiters and travellers.

An act has passed the legislature of Virginia to authorise the making of a rail road from Norfolk to the Roanoke. The corporation of Norfolk has subscribed $69,000—and three-fifths of the whole capital being taken, a claim is made on the state for the other two-fifths.

The books were opened at Baltimore on the 6th inst. (to remain open for 30 days), for subscriptions to the stock of the Baltimore and Washington rail road.

A general meeting of the stockholders of the Baltimore and Ohio rail road is called to be held at the exchange, in the city of Baltimore, on the 8th of May next, to consider the act of the general assembly of Maryland, just passed, to provide for a continuance of the road to Harper's Ferry, &c. [The proposed compromise between the rail road and the Chesapeake and Ohio canal company.]

IMPRISONMENT FOR DEBT. The legislature of Maryland, in December session, 1832, passed a law abolishing imprisonment for debt, if not exceeding thirty dollars—which was repealed at the last session, being thought rather to benefit dishonest persons, than prevent wrongs on worthy men. We have always believed, (having had much severe experience concerning the *whole* subject), that far more injury results to society from fraudulent debtors than hard hearted creditors. The general disposition is more to encourage and sustain an honest man struggling to pay his debts—than to oppress and imprison him; and such is the *interest* of creditors, which all men are most apt to pursue.

FLOUR—*inspections.* At Albany 51,390 bbls. in 1832. In Baltimore, for the quarter ending March 31, 1833—121,952 bbls. and 3,706 half bbls. wheat flour, 3,138 bbls. rye, 188 hhds. and 395 bbls. corn meal. At Petersburg, Va. same quarter, 9,453 bbls. and 314 half bbls. superfine, 1,428 fine, 294 middlings, and 48 condemned. At Richmond same quarter, 54,159 bbls. superfine, 1,060 half bbls. do, 4,658 fine, 2,090 middlings, 756 condemned.

SENATORIAL PLEASANTRY. Some Washington correspondent of a northern paper relates the following anecdote.

"Mr. Clay is often sportive and amusing. The other day, during the debate on the revenue collection bill, Mr. Wilkins, whose hair is grey, and whose person is slender, said 'he was *young* and *stout*, and deemed *now* the best time to settle the spirit of nullification. *He* did not wish to leave it to posterity—and was willing to share his part of the danger.' Soon after he attempted to read a part of the South Carolina ordinance, but his eye sight not being very good, he apologized for the omission. Mr. Clay, in a low voice, but heard all over the chamber, immediately taking off his spectacles, said, with an arch look, 'take these, my *young* friend.' The effect was ludicrous. Every body laughed, and Mr. Wilkins enjoyed the joke as well as the rest of us."

MR. MANGUM, one of the senators from North Carolina, in his speech on Mr. Clay's compromise bill, said—"It becomes not me to trace the motives of those who brought forward this measure—but I have no doubt that they are, in an eminent degree, honorable. He felt deep gratitude to those who had come to our deliverence, in the hour of our deepest gloom, when we saw no lights save the sparkles which gleamed from the steel of the enemy. If I were tenfold more ambitious than I am, I would not derive MORE GLORY than he has who restores peace to an empire like this. *His laurels will grow green, and be forever cherished by a grateful people.*"

DEBENTURES. Having copied the article alluded to—it is just that the following counter statement should be given:

The Globe contradicts the statement of the Journal of Commerce, that the secretary of the treasury had "directed the payments on certain debentures on woollens, &c. to be suspended, and the documents transmitted to be to Washington." No such order has been issued. What the story grew out of is this: the secretary was to pay these debentures out of *monies in the treasury*, and the *certificate* of the collector to the party of *the amount of duty* to be returned, was to be sent to Washington, whence, on its receipt, the money was immediately remitted to the claimant. This is the matter out of which so different a tale was made. [*N. Y. Standard.*

RETURN DUTIES. We understand that the amount of return duties under the 18th section of the tariff act of 1832 at this port, is estimated at about $1,200,000; that the amount of money already paid out is $120,000, and the amount of duties that has accrued during the month of March, under the new rates of reduced duty is $340,000. [*Boston Morning Post.*

"YANKEE NOTIONS." Public dinners are not of frequent occurrence in the New England states, but the citizens of Roxbury, and its vicinity gave one to their late representative in congress, Mr. *Dearborn*, on the 28th ult. The following are some of the sentiments delivered on that occasion:

*Hon. H. A. S. Dearborn*—Who has uniformly and ably supported the interest, the honor and integrity of Massachusetts.

Mr. D. responded in an elegant and animated address, and drank to the health of his late constituents.

Gov. Lincoln was invited to attend—but could not. He sent the following—

The relation between the *constituent* and *the representative*—When the honorable services of the *one* are recognised with corresponding respect and gratitude by *the other.*

*Regular toasts.*

"The memory of Washington."

*Gen. Lafayette*—In America, the ardent apostle of republican liberty—in France, the impartial umpire between the monarch and the mob.

*John Q. Adams*—Like the sun, he appears greater towards his setting.

*Daniel Webster*—A Demosthenes, without venality—a Cicero, without egotism—a patriot, without stain.

*The victory of the nullifiers*—In *such* a conflict may they always have *such* a victory—*a hole to crawl out of.*

*The compromise*—Both parties are satisfied—and for the best possible reason—both are as they were.

*J. C. Calhoun*—Whether for good or for evil, still potent—God forgive him—the nation never can.

*The new sugar process in Jamaica and Charleston*—Clay-ed or not Clay-ed, that is the question.

*The United States bank*—Like steam—the greater the pressure, the higher it rises.

When children, we grieved at the story of *Daniel* among the *lions:* but the tables are turned; the *lions now* need all our sympathy.

*High protecting duties*—The highest duty of the patriot is to protect the union.

*The land bill*—There is no reliance on the executive, though based on Terra Firma.

*Kentucky Clay*—Not moulded or burned, but pure and unsullied.

*The ladies*—Our *duties* to them *must be specific;* we are not *rich enough* to pay them *ad valorem.*

STATE OF PARTIES. John Randolph,* in one of his sketches quotes the following lines as descriptive of the state of parties in Washington.

As when a Barber and a Collier fight,
The Barber beats the luckless Collier white;
In comes a Dyer of cerulean hue,
And in his turn he beats the Barber blue;
Then comes a brick dust man, with rouge o'erspread,
And beats the Dyer till he beats him red;
The rallying Collier whirls his empty sack,
Knocks down the brick dust man, and beats him black,
Black, white, blue, red, in rolling clouds are tost,
And in the dust the combatants are lost.

We can imagine no better description of a state of parties in which every man has taken some other man's color. [*Alexandria Gazette.*

INDIAN TREATIES. In the Globe of the 19th March, the treaty with the Menominees, as finally negotiated by gov. Porter of Michigan, and ratified by the senate, is published. Its chief object is to stipulate a reservation for the New York Indians on the east side of the Winnebago lake—the New York Indians, including the remnants of the Stockbridge, Munsees, Brothertown, St. Regis and Six Nation tribes, assent to the treaty. The same paper, of Saturday the 23d, contains the Chickasaw treaty, duly ratified by the senate, stipulating for the removal of the whole "Chickasaw nation" west of the Mississippi. The Cherokees are now the only Indians remaining within any of the states.

INDIAN NAMES. We find in the Globe an Indian treaty signed by the following names:

Sau-sau-man-nee-kaw, or He who walks naked.

Khay-rah-tshoan-saip-kaw, or Black Hawk.

Hee-tsah-wau-saip-skaw-skaw, or White War Eagle, Dekaw-ray, jr.

Tsah-shee-rah-wau-kaw, or He who takes the leg of a deer in his mouth.

Wau-kaun-tsah-hay-ree-haw, or Roaring thunder, Four legs Nephew.

NEWS PAPERS. A case has been decided in New York, in favor of the New York Daily Sentinel against Lee, Powell and Co. wherein the principle was confirmed that persons receiving a newspaper, without ordering it discontinued, are liable in all cases for the payment of the same.

*It is denied that Mr. R. is the author of these sketches—bu they are not any the worse for that.

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THE PRESIDENT'S INTENDED TOUR. The following resolutions were adopted in the Massachusetts senate, relative to the reception of the president:

Whereas, information has been received that the president of the United States proposes to visit New England during the current year, and that he may be present in the capital of this state on the next anniversary of the Declaration of Independence: And whereas it has been the ancient usage and the uniform desire of this commonwealth, to receive the visits of distinguished public men, and especially of the chief magistrate of the union, with respect and hospitality—therefore

*Resolved*, &c. That his excellency the governor be, and he hereby is authorised and requested to tender to the president of the United States, if he shall visit this commonwealth during the present year, the customary hospitalities, and the respectful congratulations of the state.

*Resolved*, That a committee consisting of the president and five members of the senate, and of the speaker and six members of the house of representatives, be appointed, who are hereby authorised to make all suitable arrangements in the name and behalf of the state, for the proper reception of the president of the United States, if his visit to this state shall occur before the next session of the general court, and also for the celebration of the next anniversary of the Declaration of Independence, if it shall be the pleasure of the president to be present at the capital of the state on that occasion.

MASSACHUSETTS. Messrs. Adams, Briggs, Choate, Davis, Everett, Grennell and Reed, are re-elected to congress. Mr. William Bailies succeeds Mr. Hodges, who declined a re-election. A choice was not made in the Boston or Norfolk districts, lately represented by Messrs. Appleton and Dearborn. So in the Essex North district—for Mr. Cushing 2,506, Mr. Osgood 1,829, Mr. Bradbury 987, and 219 scattering.

CONNECTICUT. Messrs. Barber, Ellsworth, Huntington and Young have been re-elected, and Messrs. Foot and Tweedy take the places of Messrs. Ingersoll and Storrs, who declined a poll. They are all national republicans; and yet a large majority in the state legislature is friendly to the administration.

PENNSYLVANIA. Three other unsuccessful attempts to elect a senator of the United States were made in this state. The last ballot stood thus—for McKean 46, Rush 42, Dallas 22, Sergeant 13, Muhlenburg 3. The legislative convention then adjourned *sine die;* and the question will come up before the next assembly.

The fact that the late state loan was taken in the name of the speaker of the senate, Dr. Burden, led to an investigation concerning it—which resulted in the unanimous declaration of the senate, "that every thing in relation thereto was conducted in a fair, honest and honorable manner."

MARYLAND. Sixteen savings institutions were incorporated by the last legislature.

Twenty-four divorces were granted, out of about fifty applications. [*Md. Rep.*

VIRGINIA. The Richmond Whig of the 4th April, under head of "Glorious!!" says—Mr. Thomas J. Randolph, the grandson of Mr. Jefferson, with the weight of that illustrious patriot's name in his scale, has been *banged out, horse, foot and dragoons*, in Albermarle. We rejoice (not from any dislike to Mr. R., towards whom personally, we entertain the most kindly feelings), but for the honor of the old democracy, in the result of this election. The question was fairly tried—the election was conducted purely on the ground of federal politics. The greatest exertions were made, we understand, in favor of Mr. Randolph.—But all would not do. Old Albermarle was game to the backbone. She could not forget in favor of the grandson, that she had been the home of the grandfather.

This is a glorious consummation, and we doubt not to hear of many such. The most wonderful changes are going on throughout our state. Men who, upon its first appearance, hailed the proclamation with delight, upon due consideration of all its bearings, visit it with their profound, utter and unqualified execration. In six months, proclamation men will be as scarce as flies in winter. Mark that.

It is ascertained that Messrs. W. S. Archer, W. F. Gordon, J. Y. Mason, John M. Patton, N. H. Claiborne and John Randolph have been elected members of congress from this state.

ALABAMA. The university buildings are rapidly going on, and as many students are already attached as can be accommodated. The whole of this state was a wilderness, or the hunting ground of the Indian, a little while since.

An English writer mentions a conversation which he had with a "*native* of Alabama." The native must have been a young one. The population of what now is Alabama was less than 10,000 only 23 years ago—though now about 350,000—two-fifths being slaves. Ohio contains more than a million of free persons—but it was only 6 or 8 years since, we believe, that a "native" had been elected to the legislature of the state. Perhaps there is hardly yet a "native" in the judiciary of Ohio—or filling other like important offices.

FROM THE ROCKY MOUNTAINS. The St. Louis Times of March 23, publishes letters received from the Rocky Mountains, under date of Feb. 14, stating that the Black Feet Indians had attacked a party of traders, and killed two men—Mr. Vanderburg and Mr. Pillou. One of the Indians was killed.

INTERESTING AMERICAN ANTIQUITIES. We have been allowed (says a New York paper) by Dr. Akerly to translate the following extract of a letter he has received from a correspondent in Tobasco, who has been engaged for some years in occasional investigations into the ruins of the ancient city of Palenqua. Our readers will be gratified to learn that he proposes to publish an interesting work, composed of materials he has collected there.

*Capital of Tobasco, Jan.* 8, 1833.

*To Dr. Samuel Akerly, New York.*

*My dear friend*—I was on my third interesting visit to the ruins of Palenque, on the 21st of July, when I received yours of the 24th of March last, so that I have not been able to answer it before.

It would be impossible in a single letter to give you the details of the astonishing objects I have seen. I shall therefore only inform you, that from September, 1819, till the end of October, 1832, I have been constantly at work, and have collected materials for a work in two volumes. I intend to dedicate it to you, as it will consist of letters addressed to you, if you permit. During my labors I have expended $4,500 in travelling and investigations.

I have in my possession a description of ruins of which neither Don Antonio del Rio, nor any other person, has yet been able to describe; and although the antiquary and draughtsman Waldeck, whom I accompanied to Palenque, has written some notes, he will not be able to accomplish any thing because he has had few opportunities and does not visit the ruins.

I have in my possession a number of idols, some of baked clay, some of stone, and others of an unknown substance, but which may be petrifaction, jasper, or a species of marble. I have one of massive gold, but unfortunately, only of the weight of four dollars.

I have a plan of Tobasco, with four itineraries, which conduct to the ruins, and a plan of the great palace, which is larger than that of the Tuilleries in Paris. I have also some drawings, and a manuscript history of the ruins, which has been in my possession thirty years."

POMPEII. Our report of the last meeting of the royal society of literature, notices a letter of great interest from sir W. Gell, relative to recent important discoveries at Pompeii. Col. Robinson, it seems, in boring as the French do for Artesian wells, first fell upon a spring resembling the Seidlitz waters, which is already much resorted to, and has performed many cures. But a far more striking discovery ensued—no less than that of the long anticipated *port of Pompeii*, with its vessels overthrown upon their sides, and covered and preserved by the eruptive volcanic matter, which has thus anchored them for so many ages. About thirty masts have been found. What a mine of curiosity lies below, to gratify our thirst for knowledge of these remote times! Earnestly do we hope that funds will be found to carry on the work of exploring briskly, and on a large scale, instead of the tedious and imperfect process hitherto adopted by the Neapolitan government. [*Lond. Lit. Gazette.*

ROMAN CATHOLICS. This sect has increased rapidly in Great Britain. In Manchester, which a few years ago numbered only 70, there are now 42,000 members of this church. Many other large towns shew a similar increase. They have 11 colleges and 35 seminaries in the island.

MONKS OF LA TRAPPE. Ninety Irishmen of this community have returned to their own country since the extinction of the order in France, where they had expended £10,000 on their farm and abbey, at which all travellers were hospitably entertained, and a hundred of the neighboring poor provided with subsistence daily. Sir Richard Kane has given them 500 acres of land capable of being reclaimed by their own labor, and a subscription is commenced in Ireland for the purpose of supplying them with the funds necessary for its improvement. [*Dublin paper.*

BRITISH INCOME AND TAXATION. A question is often asked, what portion of a man's income is taken from him in taxes? Now, the total income of the people of G. Britain may be estimated on data which we have not room to specify, at £250,000,000. That of Ireland we may assume at £50,000,000, making in the whole for the United Kingdom £300,000,000. Of this sum more than one-sixth is drawn directly by government. But this is not the whole. The local taxes amount to a very large sum. The poor rates in England exceed £8,000,000. Other local taxes and contributions probably amount to £10,000,000 more. Then, as we have already explained, the higher and richer classes are exempted in a great measure from contributing their proper share of the national taxation. When these different circumstances are taken into view, it will hardly be disputed that one-third part of every man's income, in the middle and lower classes of society, is taken away by the tax collector. Every man who works nine hours a day is employed during three of these hours to enable him to pay his taxes. [*Tait's Magazine*

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STULTZ. The celebrated London tailor, Stultz, lately died at Aires, in the south of France, on an estate lately bought by him for £100,000; his property besides this exceeds £400,000.

Stultz was the very prince of European tailors. He would not condescend to cut a coat or make a pair of breeches, for any but the nobility, or those who brought letters of *introduction*, and recommendation from persons of distinction, as individuals of decided fashion. It was a rare thing for any American citizen to be able to show *letters* from sources high enough, to afford him an opportunity to have his legs and shoulders measured by this famous knight of the thimble. [*Centinel.*

ENCYCLOPAEDIA AMERICANA. We have received the 13th and last volume of this truly valuable work; and congratulate the public on the success which has attended the liberal and enterprising publishers, Messrs. *Carey*, *Lea* and *Blanchard*, of Philadelphia—trusting that they will be remunerated for the extraordinary expenses which they have incurred in revising, correcting and otherwise improving, by large and important additions, especially relating to American subjects, the original work—or rather *plan* of this Encyclopedia, first published at Leipsic, in Germany, in 1827-29. A great sum must have been paid for editorship and contributions, though many of the latter were gratuitously rendered, by distinguished gentlemen—but the result is highly satisfactory to the public, whatever may be its effect on the publishers. It is, we think, the most interesting work, for ordinary use, that ever issued from the press, regard being had to the number of its volumes; and we heartily recommend it to all who desire to refresh their recollections, or obtain a knowledge of "things in general." We have made many references to articles concerning which we had some personal information, and have the pleasure to state a general accuracy which can hardly be excelled, in a work of this kind.

"THE NATIONAL CALENDAR" vol. 11th, for 1833, edited by Peter Force and published by Thompson and Homans of Washington city, has just been received. We owe it an annual paragraph of commendation, for the extent and value of the information which it furnishes, on the annals and statistics of the United States, and the organization of the government in all its branches,—congress, the judiciary, the executive departments, the army and navy. It is the "blue book," in which the name and emoluments of every officer in the employ of the United States, at home and abroad, can be found, and the names of all the foreign agents by whom communication is kept up between this and other nations. There are in it besides, a large number of official documents for the year, of the first public importance. It is an invaluable book for references on all topics connected with the acts, duties and compensations, of all the agents of the federal government, and many other matters of public concern. [*American.*

PENSIONS.—A statement showing the number of applicants for pensions under the act of a former session of congress, (June 7, 1832) allowing pensions to the officers and soldiers of the revolution, and showing also the number from each state.

| | | | |
|---|---|---|---|
| New York, | 5,613 | Georgia, | 474 |
| Massachusetts, | 2,451 | Indiana, | 423 |
| Connecticut, | 1,082 | S. Carolina, | 312 |
| Vermont, | 1,608 | Alabama, | 251 |
| Maine, | 1,236 | Illinois, | 203 |
| New Hampshire, | 1,288 | Missouri, | 91 |
| Virginia, | 1,282 | Maryland, | 57 |
| Ohio, | 1,237 | Dis. of Columbia, | 25 |
| Tennessee, | 1,212 | Michigan, | 16 |
| Kentucky, | 1,181 | Mississippi, | 9 |
| North Carolina, | 1,003 | Florida, | 8 |
| New Jersey, | 862 | Delaware, | 7 |
| Pennsylvania, | 854 | Louisiana, | 5 |
| Rhode Island, | 474 | | |

MRS. AUSTIN. A Boston paper, speaking of an opera to be performed in the Tremont theatre, thus speaks of this famous "cantatrice."

"The whole is to conclude with the last act of the *Tempest*, in which Mrs. Austin, as the sylph-like *Ariel*, will sing, among other *morceaux delicieuse*, the beautiful air of "where the bee sucks," in which she is so *very unsuccessful* that the audience, a few evenings since, called upon her to rehearse it no less than four times—themselves willing to submit to any inconvenience rather than she should forego such an opportunity for improvement; and we have no doubt that a crowded auditory will be present this evening to witness her advancement in taste and science."

This is equal to the compliment that *Fielding*, in his "Tom Jones," paid to his friend *Garrick*, through the mouth of *Partridge*; who did not think that Garrick, (in Hamlet), was at all worthy of commendation—because that he, (Partridge), if he had seen *his* father's ghost would have been as much frightened as he (Garrick, as Hamlet) was!

THE EXPEDITION. Captain Back and his associates in the enterprise to discover and relieve captain Ross and his fellow adventurers, of which we made mention a few days since, arrived at this port in the Hibernia, from Liverpool. The undertaking, though we fear a hopeless one, is deserving of great praise, as well for the benevolence of its primary, as for the importance of its ulterior object. [*N. Y. Com. Adv.*

CHURCH ARTILLERY. During the delivery of a lecture on church property, by Mr. F. Coghlan, while on his political tour through Somerset, enumerating the various degrees of ecclesiastics, the name of canons attracted the attention of one of his hearers, who interrupted the lecturer as follows—"zur, stop zur, I wish to ax a question, zur—what sort of gannons be they? Be they *brass*, or be they iron gannons, zur?" [*English paper.*

HURRICANE IN CHINA. Brief notices have been published of a tyfoong, or hurricane, which was experienced in China on the 3d of August. The Canton Register speaks of it as "more disastrous than any before felt in China." It says:

The loss of life and property in native craft is, from all quarters, reported as terrific. Many bodies have been washed up at Macao and among the islands. Junks and smaller vessels are seen in great numbers wrecked, cast ashore or dismasted, especially at Lantao, and many are known to have gone down at sea; among the rest, are four out of the six junks which had started for Teen-tsing; two of these had returned, one dismasted; the others, which had from 400 to 500 chests of Malwa on board, sunk with all hands.

In *Canton* and the suburbs, above a thousand houses and sheds, besides 20 temples, have been wholly or partially overthrown, and about 400 persons crushed beneath them. By the destruction of boats, and of public places erected on stakes over the water, about 230 persons have lost their lives. The number of small boats destroyed is not ascertainable.

At *Keang-shan*, the ravages of the tyfoong were on an equal scale; 400 places of abode and 10 temples having fallen. Eleven passage boats, 90 trading boats, and about 60 small boats, were destroyed. The total loss of life was about 130 persons.

At *Macao*, 10 houses, 8 passage boats, 7 or 8 temples, and between 50 and 100 small boats are destroyed. Several junks swamped or ran on shore. Five war junks were lost at the Bogue and among the islands. Some officers and about 30 men perished.

VENEZUELA. The "Redactor" of this city, confirms, on the authority of the Caraccas Gazette, the reported prevalence of a mortal disease in the department of Apure. It is stated that in Montecal, and in all the other towns in that department, the fever has entered every house—and that in some of them not an individual has been spared. The few persons who are able to remove, are fleeing to distant places, abandoning their dwellings, cattle and all the property they cannot carry with them. Of the poor who are sick, the greater part die; and their bodies remaining unburied, increase the impurity of the atmosphere. These disasters have been greatly aggravated by the want of physicians, medicines and assistance; but we are glad to learn that the Venezuelean government has sent a physician and proper supplies for their relief.

This department is represented as one of the most fertile in that region, abounding in rich pastures, where the wild cattle are fed, the hunting of which is one of the principal employments of the inhabitants.

HIGH SPORTING! ☞ As I have seen a challenge from "Julia," by Bertrand, the favorite of the south, and understand that a similar challenge has been made by "Medoc," the favorite son of "Eclipse," the champion of the north, each to meet, on their respective courses, any nag that can be produced, for the sum of ten thousand dollars—four mile heats; and as it is not possible for me to accommodate both parties, and not wishing to make an invidious distinction between the two; I therefore propose, as the best means of affording a general accommodation, to meet them both in a sweepstake next fall, over the Broad Rock course, with Mary Randolph, by Gohanna; four mile heats; ten thousand dollars entrance; half forfeit; to close on the first of May next, and free for any other horse, mare, or gelding, in the world. WILLIAM WYNN.

March 14th, 1833.

N. B. The above course is named, not only because the part owner of the mare is the proprietor of the course, but because it would be a central ground.

The *Bonnets O'Blue* having sustained an injury in one of her hocks, will never again appear on the turf, and therefore settles her *racing accounts*, which stand thus:

| | |
|---|---|
| She won the great sweepstakes at New York, seventeen subscribers, $500 each—eight starting, | $6,250 |
| She won the stakes at Tree-hill, | 800 |
| Her match against Goliah | 5,000 |
| The club race at New York, four mile heats, against Black Maria, and others | 1,000 |
| Her match against Clara Fisher, | 5,000 |
| Sale of her, | 4,000 |
| | $22,050 |
| Paid her entrance when she was beat by Sally Hornet, | $20 |
| Her match with Little Venus, | 5,000 |
| Balance in her favor | 17,030 |
| | $22,050 |

These are all the races she ever started for, and the above account is true, as the records will show. [*Turf Register.*

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## FOREIGN NEWS.

*London dates to Feb. 27—Paris to March 2.*

HOLLAND AND BELGIUM.

Under the head of the Paris exchange, of 23d February, the Gazette de France says, that "owing to the new threats of England and France, the advice given by Russia to the king of Holland, and the annoyance of the existing state of affairs to Prussia, a speedy solution of the Belgian question was so strongly anticipated as to influence the funds very sensibly; the 3 per cents. which opened at 78 rose to 78 70, and left off at 78 50."

The menaces here referred to are contained in the following note. After recapitulating the substance of the preceding negotiation, the ministers of France and England declare—

Art. 1. After exhausting all means of conciliation to produce an amicable arrangement between Holland and Belgium, his Britannic majesty, in concert with the king of the French, that if by the 15th of March, his Netherlands majesty shall not send to the foreign office a note explaining the basis upon which a treaty of commerce between the two parties may be concluded, a French army, supported by a British naval force, will again enter Belgium, and will not again leave it till the treaty of 15th Nov. 1831, shall have been fully complied with.

Art. 2. The embargo on Dutch ships of war and merchant ships, shall be maintained both in France and England, till the above treaty be complied with.

Art. 3. France and England, before resorting to forcible measures, demand of Holland the abolition of the recently established toll.

Art. 4. The French and English governments, desirous of establishing the commercial intercourse of two governments whose relations are hereafter to be altogether friendly, and not willing that the treaty to be made should be onerous to either party, will endeavor so to conciliate the interests of the two belligerent powers, as that the treaty may be signed and ratified by both powers in the course of the present month of March.

Art. 5. The undersigned representatives of France and England, finish by reiterating to the Dutch government the declaration in the first part of this note, and they hope that his Netherlands majesty, sensible of the real necessity of terminating a question which keeps in suspense the commerce of all Europe, will cut the gordian knot and transmit to us admissable propositions.

TALLEYRAND.
PALMERSTON.

*London, 10th February.*

This note was followed by a new convention between France and Belgium.

A Ghent paper states that, the Dutch made a sortie on the 27th Feb. from Zebzeete, and captured a post of civic guards, consisting of 3 officers and 50 men. Reparation had been demanded for this violation of territory.

Brussels papers state that the question of a toll having been established on the Scheldt has been resolved to the satisfaction of all parties, that river being now as open as ever to the navigation of all nations.

FRANCE.

*Paris, Feb. 26.* On Saturday evening general Lafayette called at the residence of the ministers of foreign affairs, where his presence surprised more than one member of the diplomatic corps. The general came to intercede with the minister for some Polish refugees, and to propose to him to subscribe to a ball which the Polish committee of Paris give on Saturday next for the relief of the unfortunate families thrown upon their charge by the disaster of Warsaw.

The government has just purchased the library of the late baron Cuvier for 72,000f., and the Egyptian manuscripts of M. Champollion, jun. for 50,000.

The order recently issued for dismantling Strasburgh and other strong fortresses has been recalled by the French government, but on what grounds we have not heard it explained.

The Moniteur of this morning, *official part*, contains the following article:

*Paris, Feb. 25.* On Friday, 22d February, at half past 5 o'clock, P. M. madame the duchess de Berri sent to general Bugeand, commander of the citadel of Blaye, the following declaration:

"Under the pressure of circumstances, and influenced by the measures of the government, although I had *the most urgent reasons* for keeping my marriage secret, I think it due to myself, as well as to my children, to declare that I was secretly married during my residence in Italy.

*Citadel of Blaye*, 22d Feb. 1833.

(Signed) MARIE CAROLINE."

This declaration having been transmitted by gen. Bugeand to the president of the council, the minister of war, was immediately deposited among the archives of the chancery of France.

The declaration of the duchess de Berri gives a death blow to the legitimist party in France. Every one thinking what reprobation was excited throughout Europe by the marriage of Marie Louise to count Neipeig. We are curious to see what language the organs of legitimacy will now adopt.

"The affair of the duchess is ascribed to a young and handsome French viscount—not named.

Liberty has been promised to the duchess—who has announced her willingness to return to Naples.

GREAT BRITAIN AND IRELAND.

*London, Feb. 25.* The reports of dissensions in the cabinet have latterly gained more credit. It is said that two of the ministers of greatest influence are engaged in an intrigue, the result of which will be a rupture with the leaders of the whig party, and an alliance with the tories. It is asserted that several members of the cabinet, with lord Grey at their head, have threatened to hand in their resignations if such a state of things continue.

His majesty's ministers will take into immediate consideration the affairs of the East Indies. It is said the commerce with China will be made free.

SPAIN.

The Madrid Gazette of the 14th of Feb. contains a royal decree requiring a levy of 25,000 young soldiers to replace those who, by virtue of the decree of the 8th Feb. 1827, had performed their six years service. This levy, says the decree, is for the maintenance of the army upon the peace establishment.

The mission of sir Stratford Canning, has failed completely. The Spanish government refused to lend itself to the views of the British cabinet, and M. Zea, whose credit lord Palmeston was desirous of overthrowing, seems destined long to remain at the head of the Spanish cabinet.

The parent country, under the liberal and enlightened auspices of the queen-regent, will, it is said, acknowledge the independence of all her ancient possessions in the western hemisphere—Cuba, of course, excepted, which would benefit greatly by opening a trade with the revolted states.

PORTUGAL.

The letters received from Lisbon this morning concur in representing the army of Don Miguel as in such a sickly and disorganised state, that it is generally supposed the siege of Oporto will soon be raised. Wagons for transporting the sick were arriving from every direction. It is asserted that the forts and advanced works were about to be constructed on the environs of Lisbon, in the anticipation that the army of Don Pedro would march upon the capital. [*Globe.*

TURKEY AND EGYPT.

Accounts from Constantinople to January 31, says—that the agents dispatched by the French charge d'affaires at Constantinople, and by the Russian general Murawieff, to the head quarters of Ibrahim pacha, to open negotiations, have returned to Constantinople without accomplishing the object of their mission. A kind of armistice had, it is true, been concluded, but the term of it had nearly expired at the departure of the courier from Constantinople.

The representatives of the European powers are said to be highly dissatisfied with the state of affairs, as they expected a more favorable result from their proposals to Ibrahim pacha. It was thought, at Constantinople, that if an arrangement between Turkey and Egypt should not be effected soon, France would take an active part in the affairs of the east.

*Vienna, February 20.* By an extraordinary conveyance we have received news from Constantinople that Ibrahim pacha is continuing his march, and that the main body of his army has arrived at Akschebir, and his advance guard at Kulahia. He declined entering into any negotiation, and would not suspend his military operations, except on positive orders from his father. Under these circumstances, the sultan had recourse to the Russian ambassador, who immediately sent orders to Sebastopol, for a Russian squadron to join the Turkish fleet in the Bosphorus. The sultan likewise asked for a body of Russian soldiery, which had arrived at the Danube, but this aid the ambassador refused. Every thing is perfectly tranquil at Constantinopla and it is generally believed that Mehemet Ali will accept the propositions which the two plenipotentiaries of Russia have gone to Alexandria to submit to him.

It is stated that the Turkish fleet had entered the port of Constantinople, and that the Persian envoy has frequent conferences with the reis effendi.

ADDITIONAL ITEMS.

The London Standard asserts that lord Althrope had tendered his resignation—which was not either absolutely accepted or refused.

A meeting was held in Liverpool on the 27th February, adverse to lord Grey's bill of coercion for Ireland. It was numerously and respectably attended, and seemed animated with strong and decisive feelings on the subject. In three days, upwards of thirteen thousand signatures were attached to the petition adopted on the subject.

A London paper of the 3d March, notices a report, the accuracy of which is however rather doubtful, that the question of the renewal of the East India company's charter is to be settled on the following terms:

Three or five years are given to the company to wind up their accounts, *but the trade is at once to be thrown entirely open;* the commercial capital is to go towards the liquidation of the Indian debt; the territorial possessions are to remain in the hands of the company; the dividends of the proprietors are to be secured upon the territories of India for a certain number of years, (ten is mentioned), and then the capital is to be paid off at £100; the directors are to be reduced to twelve, &c. &c.

The Irish suppression bill was still under debate in the house of commons. It was ardently defended, and as ardently opposed. The best talents of the house were fully brought out—and much confusion sometimes prevailed.

The Erin steam vessel, plying between England and Ireland, has been lost in a gale. Part of the wreck had been washed on

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shore. It was believed that she had not less than ninety persons on board—all of whom perished.

Two female infants, united by the abdomen, like the Siamese twins, were lately born in England, and were to be exhibited.

In the house of commons on the 1st March on the presentation of a petition, Mr. Wilks asked whether the government contemplated any measures for the abolition of negro slavery. The chancellor of the exchequer replied, that, at present, he could not give any precise answer.

It has at last been decided, that Joseph Pease, the Quaker, who it was feared would lose his seat in the imperial parliament, on account of belonging to a society which sanctions affirmation instead of swearing—shall retain his membership. The subject was brought before the house of commons, and after some explanatory remarks from the hon. Mr. Wyon, and the solicitor general—

The speaker then put the question—"That Joseph Pease, esq. be allowed to make his solemn affirmation at the table instead of his oath."

The ayes seemed almost universal, and not one no was heard. The speaker gave his decision—"I think the ayes have it"—amid tremendous cheering.

This is, really, pleasant intelligence—and shews that "reform" in England, means—something.

POLAND.

The latest intelligence from this ill-fated country is contained in the following article.

Since the press in Germany is under the severe control of Russia, Austria and Prussia, no information from Poland can be obtained but with the greatest difficulty. I must add that the Russian government takes the greatest care that its cruel ukase should not be known in foreign countries. I find, however, the means of informing you that the [illegible]ishment of the mint and its steam engine have been carried away to St. Petersburgh, that the prisons are still full, and the fate of the imprisoned is not as yet known. Every thing indicates great poverty in the Russian finances. The increase of taxes, and the confiscations, without waiting for the sentence of the courts, is going on with greater vigor. Prince Czartoriski's magnificent country seat at Pulway has been announced in the Warsaw newspaper as confiscated, and offered for sale; and in Volhynia and Podolia the confiscations are almost general, without paying the mortgages on those estates. The system of transplantation continues to carry away to Siberia and the Caucasus the peasants and the small gentry. The measure which provoked the whole population was the violation of the church of Chenstokow, held in the greatest veneration. There was in that church a miraculous image of the holy Virgin. For many centuries, kings, princes, the wealthy, and the poor, carried to that church their offerings in diamonds, gold, silver and most rich *exvotos*. It was respected during the invasions of Turks and Tartars, but not by the Russians. That rich treasure, amounting to millions, has been robbed and carried away to St. Petersburgh. The annihilation of the Roman Catholic church—the introduction of the Greek schismatic religion—the total extinction of the Polish nation, is openly declared and sworn! The most provoking circumstance is the audacity with which the Russian government, in perpetrating these barbarous cruelties, denies and contradicts them in foreign newspapers.

*Later—London papers to the 6th March.*

The Irish enforcing bill was read a first time in the house of commons on the 5th of March, after a division—466 against 89. The 8th was appointed for a second reading of the bill. The great majority in favor of it, and in a reformed parliament, would shew that the present condition of Ireland requires an action beyond the admitted provisions of the constitution, and to be excused only because of the supposed necessity of the case. In the debate on the 4th, Mr. Emerson Tenant, a supporter of the bill, held the following language:

"These additional powers were not all that was necessary to put down disturbance. No; the ground work of disturbance in Ireland was poverty [hear, hear!] and predial agitation paved the way for political agitation. The fiercest agitation would fail of success, if they would only direct their attention to this point. As it was, he found the people reckless from want, and too ready to join in any scheme, however desperate. Let them alleviate the condition of the Irish peasantry—afford them opportunities of obtaining remunerative employment—snatch them from starvation—and give a legal maintanance for the helpless and the infirm—[general [illegible]] Let them do this, and agitation would cease. But if they did not do this, the reign of agitation would be perennial [hear, hear, hear!] He regarded this measure as precautionary, and not final."

The farmers and gentry of parts of the country of Wexford have formed themselves into parties of nightly patrol, for the preservation of order.

The ministers seem resolved on the prompt abolition of slavery in the West Indies—but it is now stated that they are willing to allow some compensation to the owners of slaves.—The whole project will, probably, be laid before parliament soon after the Irish suppression bill, and Irish church reform bill, &c. are disposed of. It seems clear that laws will be passed for the abolition of slavery.

The money market was "firm," because of the great majority in favor of the Irish suppression bill?

The Carlists of France are much embarrassed by the duchess of Berri's avowal of her marriage. It is not stated to whom she is married, and some doubt whether she is a married woman—though she ought to be one.

The chamber of deputies has decided an allowance of 6,000f. or £240, to the widow of gen. Daumesnil, who both in 1814 and 1815 refused to surrender the castle of Vincennes to the allies.

Much is said about the affairs of Holland and Belgium—not worth repeating. The queen of the French was about to visit her daughter, the queen of Belgium.

Things are quiet in Spain. Nothing new from Portugal—except that a malignant fever prevailed in the armies of the rival brothers.

It is said that the Russian ambassador to Egypt has succeeded in inducing Ali pacha to suspend the further march of his army towards Constantinople.

## LETTER FROM GENERAL LAFAYETTE.

TO THE INHABITANTS OF BOGOTA.

*Translated from the Constitutional de Cundinamarca for the New York Daily Advertiser.*

*La Grange, July 29th*, 1832.

Not knowing whether the first expression of my gratitude has ever reached you, I have thought the present time the most propitious occasion to address once more to the respected inhabitants of Bogota my lively and sincere thanks.

On the first anniversary of your revolution of 1830, you were pleased to address me your kind felicitations. On this second anniversary I wish to repeat to you how much I feel honored by your high esteem, and how deeply I am affected by your kindness.

On reading again your valued letter, which I shall preserve through me as a treasure dear to my heart, I cannot but compare your hopes then expressed with the present state of Europe. Be convinced, however, that our popular week, so justly celebrated by you, has already greatly favored the emancipation of this part of the world, and that, in spite of obstacles, both foreseen and unforeseen, the principles and practice of true liberty will triumph in Europe, over the pernicious influences which are exerted to retard its progress. Thus we also count, I confidently assure you, on the independence of noble Poland, whose efforts you admire, and whose misfortunes we have now to deplore.

Among the results of our revolution, I have been particularly pleased with the relations established between France and the new states of the republican hemisphere. The sympathies of the French people for you have their origin in the time when your patriotic section of South America gave the first example of heroic insurrection. I hope that the mutual bonds which ought to unite our two governments, will daily become closer and stronger.

The wishes felt by all generous minds on this side of the ocean, to see your new republics rise to the highest grade of liberty, security, and public and private prosperity, are not devoid of all personal interest; for at the present time, when in spite of the long experience of above half a century in North America, malevolence and aristocratic and monarchial prejudices still throw a doubt over the superiority of republican institutions, it is important to the civilization of the world to prove that those institutions, far from being an occasion for disturbances and enmity, every where secure the peaceful enjoyment of all the rights of the man and the citizen.

General Santander, whose friendship I have had the pleasure of cultivating here, and to whom you entrusted your letter, will please transmit you this my second reply. His residence in the United States of the north must have given him opportunity to know the affectionate sentiments and fraternal sympathy which will ever be felt for you in that part of your hemisphere.

May the citizens of Bogota accept the tribute of my gratitude for favors which gratify me, and which I acknowledge with pride; while they accept my wishes for their general and personal happiness, together with my profound respect.

LAFAYETTE.

The Bogota papers inform us that this autograph letter is deposited in the library of the national museum, which has recently been restored and re-opened.

## LETTER FROM MR. CAREY.

*From the U. S. Telegraph.*

DUFF GREEN, esq.—Sir: A misconstruction of a passage in [illegible] days since, in which you comment on my late valedictory, induces me to [illegible] the favor of a [illegible] for a few lines in reply. It has been supposed, from the passage in question, that my withdrawal from the defence of the protecting system, which you style "*a bad cause*," has arisen from a change of opinion. This is an inference which my language did not warrant, and which is entirely erroneous. Every fact that comes to my knowledge, connected with the subject, serves, more and more, to confirm me in the soundness of the doctrines. Our national experience affords the strongest corroboration of it.

In 1783 and 84 we tried free trade; that is, regulating our impost according to the wants of the government, and what was the consequence? Distress and desolation overspread the face of the land; paper money, instalment and tender law were introduced, accompanied by an insurrection which endangered the union.

We tried the same experiment in 1816. With the exception of coarse cottons, to favor the south, and some few other arti-

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cles, the duties were calculated merely for the purpose of revenue. What was the result then? Nearly the same degree of distress and desolation as in the former case.

The first really protective tariff ever enacted in this country was in 1824. What has been the result? A spread of prosperity never exceeded, in the same space of time, in any other country in the world.

Holland tried free trade in 1816. What was the result? Hear the language of one of her statesmen:

"It is the tariff of 1816 which has opened the door to the productions of foreign industry. From that period there has been a constant deficiency in our finances.

"It is since 1816, that the ninth part of the nation is reduced either to mendicity, or to require assistance.

"It is since 1816, that manufactures and commerce have declined with giant strides.

"It is since 1816, that the metallic medium of the nation has been lavished to pay tribute to foreign industry.

"This disappearance of the specie is most perniciously felt by the reduction of the price of houses, which, except in Brussels and the Hague have fallen since that period more than one-third.

"It is ascertained, that the immense number of breweries and distilleries, which formerly existed in both parts of the kingdom, have undergone prodigious diminution."*

Russia made the same fatal experiment in 1818, with the same destructive results. Pray attend to the declaration of the emperor Alexander in the proclamation restoring the protecting system:

"In proportion as the prohibitory system is extended and rendered perfect in other countries, *that state which pursues the contrary system makes, from day to day, sacrifices more extensive and more considerable*. [illegible] opens its ports to all foreign productions—and all ports are shut against the articles it was in the habit of exporting. *It offers a continual encouragement to the manufactures of other countries; and its own manufactures perish in the struggle which they are as yet unable to maintain.*

"It is with the most lively feelings of regret we acknowledge it is our own proper experience, which enables us to trace the picture. The evils which it details, have been realised in Russia and Poland since the conclusion of the act 7—19 of December, 1818. *Agriculture without a market, industry without protection, languish and decline. Specie is exported, and the most solid commercial houses are shaken.* The public prosperity would soon feel the wound inflicted on private fortunes, if new regulations did not promptly change the actual state of affairs."

I have withdrawn from the arena in consequence of the utter destitution of co-operation throughout the whole of last year, on the part of those vitally interested, and the hopelessness of any in future. I am not easily discouraged; but it is obvious that it were worse than Quixotic for any individual, however zealous or ardent, to attempt, unaided, to stem the torrent that is sweeping away the system which has diffused such prosperity over the country. I am as much attached to the cause as I was in March, 1819, when I began; and, with proper support, would advocate it gratuitously to the last hour of my life, notwithstanding the various revolting circumstances by which the advocacy has been constantly attended at almost every step of my progress.

That the system at present adopted will produce most injurious effects, I feel confident; but not to the same extent as in 1783, and 1816. The extraordinary enterprise of our citizens, their excellent machinery, the wide extent of our Atlantic border, the almost boundless internal communication by our immense rivers, our canals and our rail roads, will avert a large portion of the evils which befel us in the two former periods, and enable us to compete with foreign rivals on much more equal terms. M. CAREY.

*Philadelphia, March 29, 1833.*

## THE TREASURY BUILDING.

*From the National Intelligencer, of April 6.*

We observe an intimation in a letter from this city, published in the Journal of Commerce, that the papers destroyed, in the late conflagration of the treasury building, "relate to *unsettled* accounts." We have no doubt that this statement was according to the best information of the writer. But, as our statement was different from this, and as we took no little pains to obtain the facts accurately by an examination on the spot, before we put them on paper, we have felt it to be our duty to inquire more particularly into the matter, to vindicate or to retract our own account of the affair. We [illegible] were correct in our [illegible] to the letter. The mass of papers relating to unsettled accounts were in the offices of the comptroller, first auditor, and register; and were all saved. Some *settled* accounts, of old date, which were in the garret, as we stated before, and also in the cellar, were lost.

Among the offices attached to the treasury department, which were in a different building from that destroyed, we omitted to mention the general land office, the records and papers of which remain, of course, not only safe, but undisturbed.

☞ We are very sorry to learn, that our mentioning the room by the name by which it was indicated to us by the officers about the building (as Mr. F. Laub's room) was understood to be intended as a reflection on Mr. LAUB. Very far from it. Such an idea never entered our head for a moment, and we now peremptorily disclaim it.

We have not yet heard the result of the investigation concerning the destruction of the treasury building, though it was promptly entered upon and earnestly pursued. Strong reports, however, are abroad that the conflagration was *not* accidental.

The Georgetown Gazette of the 10th, says—The recent investigation entered into with so much spirit in relation to the late fire at the treasury building, was closed on Saturday evening last about 8 o'clock. The result had not transpired yesterday—Though doubtless it will soon be made public. The steps taken by the secretary of the treasury in relation to this unfortunate affair, are highly creditable to him. The loss of public property of any description should never be suffered, without being made to undergo a rigid examination into the causes.

## INDIAN EXPENSES.

From the act making appropriations to carry into effect Indian treaties, &c. as published in the Globe, we make the following abstract:

| | |
|---|---|
| For the *Winnebagoes*, for treaty of Sept. 1832, | $23,382 |
| For the *Sacks* and *Foxes*, | 69,474 |
| For the *Shawnees* and *Delawares*, October, | 42,250 |
| For the *Kaskaskias* and *Peorias*, | 8,630 |
| For the *Appalachicola* tribe | 13,000 |
| For the *Potawattamies* of the Prairie, by treaty of October 1832, and January 1833, | 124,779 |
| For the *Kickapoos*, by treaty of Oct. and Nov. | 71,232 |
| For the *Potawattamies of the Wabash*, October, | 283,761 |
| For the *Potawattamies of Indiana*, | 81,520 |
| For the *Piankeshaws* and *Weas*, | 22,262 |
| To enable the president to extinguish Indian titles in Indiana, Illinois and Michigan, in addition to grant of last year, | 3,871 |
| For expenses of the treaty at *Butte des Morts*, in addition to former appropriation, | 400 |
| For removal and subsistence of the Creeks, &c. in addition, | 16,561 |
| For arresting and guarding *Ioway* murderers, | 1,023 |
| For locating *Choctaws*, (not before provided for) | 1,500 |
| For expense of *Chickasaw* deputation to Washington, | 1,650 |
| For expense of keeping twelve prisoners of war of the *Sacs* and *Foxes* as hostages, &c. | 2,500 |
| For sundry small items—together, | 4,030 |
| For expenses of removing and subsisting the *Choctaw*, *Creek*, *Cherokee*, and *Ohio* Indians, | 474,013 |
| For holding a treaty with the *Potawattamies* to extinguish their remaining title in Illinois, | 10,000 |
| For carrying into effect treaty with *Chickasaws*, to be refunded out of sales of their land, | 100,000 |
| For do do with the *Ottowas*, | 47,400 |
| For do do with the *Menominees*, | 58,600 |
| For several small items—together, | 5,000 |
| For expense, if found necessary, of repressing Indian hostilities on the frontiers, | 100,000 |
| | $1,566,838 |

The greater portion of this million and a half of dollars is for enabling these Indians to remove, compensating them for their improvements, and providing blacksmith's shops, school masters, &c. in their new settlements. There is also a proviso in the bill to compensate the American board of foreign missions for the value of their improvements, &c. in the *Choctaw* settlement, sold at the treaty of the Dancing Rabbit creek.

[*N. Y. American.*

## LOTTERIES ABOLISHED IN MASSACHUSETTS.

The bill for the suppression of lotteries in the state of Massachusetts, was approved by the governor on the 23d ult. The first section imposes a fine of from one hundred to two thousand dollars upon any person who shall make, sell or offer for sale, or have in his possession with intent to sell, or offer for sale, or be in any way concerned in the sale of any lottery ticket, or certificates, taken on security for any lottery ticket, or shall be in any way concerned in the management or drawing of a lottery, or shall knowingly permit the drawing of lotteries, or sale of, or raffling for [illegible] in any building owned, rented or occupied by him. One half of the penalty is given to the informer. A second conviction is made punishable, in addition to the fine, by imprisonment in the house of correction, for a term of from three to twelve months.

The second section creates a penalty of from thirty to one hundred dollars, for advertising the sale of tickets or certificates, or for the exhibition of any sign or symbol in any way indicating where they may be purchased.

The third section provides that the making, selling or offering for sale, or having in possession with such intent, of tickets or certificates in fictitious lotteries, or lotteries not authorised by any state, shall be punished by imprisonment in the state prison, for a term of from one to three years. In this case, the person accused is held to prove that the ticket was a genuine ticket in a lottery authorised by some state, his failing to do this is to be held as proof that the ticket is fictitious. On a conviction under this section, the prosecutor is entitled to a reward of fifty dollars from the commonwealth.

*Considerations sur le projet de loi, concernant le nouveau systême financier du royaume des Pays-bas. A Bruxelles, 29 Juin, 1821, page 29.

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The fourth section authorises justices of the peace to make preliminary examination on complaint as in cases of other offences.

The fifth section forfeits to the commonwealth the money which any lottery adventurer may receive for any prize drawn in any real or fictitious lottery, to be recovered by information or for action for money had and received.

The last section repeals all former laws on the subject except as to actions or prosecutions already commenced under them.

## RAIL ROAD COMPANIES—NEW YORK.

From the "New York Annual Register," by Mr. *E. Williams*, for 1833, the following schedule of rail road companies incorporated in that state, is copied. [We take this opportunity to express our opinion, that Mr. *Williams'* annual is the most valuable work of its kind published in the United States. Mr. *Force's* "National Calendar," also stands at the head of the list, for interesting matters belong to its class.]

INCORPORATED RAIL ROAD COMPANIES.

| | |
|---|---|
| Albion and Tonawanda—from Albion to Batavia, incorporated in 1832, capital | $250,000 |
| Auburn and Erie canal—from Auburn to Erie canal, incorporated in 1832, capital | 150,000 |
| Aurora and Buffalo—from Aurora to Buffalo, incorporated in 1832, capital | 300,000 |
| Brooklyn and Jamaica—from Brooklyn to Jamaica, incorporated in 1832, capital | 300,000 |
| Buffalo and Erie—from Buffalo to Erie county, Penn. incorporated in 1832, capital | 650,000 |
| Black river company—from Rome to Ogdensburgh, incorporated in 1832, capital | 900,000 |
| Catskill and Canajoharie—from Catskill to Canajoharie, incorporated in 1830, capital | 600,000 |
| Dansville and Rochester—from Dansville to Rochester, incorporated in 1832, capital | 300,000 |
| Dutchess—from Poughkeepsie to Connecticut, incorporated in 1832, capital | 600,000 |
| Elmira and Williamsport—from Elmira to Pennsylvania, incorporated in 1832, capital | 75,000 |
| Fish House and Amsterdam—from Fish House to Amsterdam, incorporated in 1832, capital | 250,000 |
| Great Au Sable—from Great Au Sable to Port Kent and Peru, incorporated in 1832, capital | 150,000 |
| Harlæm—from Prince street, N. York, to Harlæm, incorporated in 1831, capital | 350,000 |
| Hudson and Berkshire—from Hudson to Massachusetts state line, incorporated in 1832, capital | 350,000 |
| Hudson and Delaware—from Newburgh to Delaware river, incorporated in 1830, capital | 500,000 |
| Ithaca and Geneva—from Ithaca to Geneva, incorporated in 1832, capital | 800,000 |
| Ithaca and Owego—from Ithaca to Owego, incorporated in 1828, capital | 300,000 |
| Lake Champlain and Ogdensburgh—from lake Champlain to Ogdensburgh, incorporated in 1832, capital | 3,000,000 |
| Mayville and Portland—from Portland to Mayville, incorporated in 1832, capital | 150,000 |
| Mohawk and Hudson—from Schenectady to Albany, incorporated in 1826, capital | 600,000 |
| New York and Albany—from N. York to Albany, incorporated in 1832, capital | 3,000,000 |
| New York and Erie—from New York to lake Erie, incorporated in 1832, capital | 10,000,000 |
| Otsego—from Cooperstown to Colliersville, incorporated in 1832, capital | 200,000 |
| Rensselaer and Saratoga—from Troy to Ballston Spa, incorporated in 1832, capital | 300,000 |
| Rochester—from Rochester to Genesee port, incorporated in 1831, capital | 30,000 |
| Saratoga and Fort Edward—from Saratoga Springs to Fort Edward, incorporated in 1832, capital | 200,000 |
| Saratoga and Schenectady—from Saratoga springs to Schuylerville, incorporated in 1832, capital | 100,000 |
| Schoharie and Otsego—from Schoharie county to Susquehannah river, incorporated in 1832, capital | 300,000 |
| Tonawanda—from Rochester to Attica, incorporated in 1832, capital | 500,000 |
| Utica and Susquehannah—from Utica to Susquehannah river, incorporated in 1832, capital | 1,000,000 |
| Warren county—from Glenn's falls to Warrensburg, incorporated in 1832, capital | 2,500,000 |
| Watertown and Rome—from Rome to Watertown, incorporated in 1832, capital | 1,000,000 |
| Total, | $17,555,000 |

The rail roads at present in operation are,

| | |
|---|---|
| The Mohawk and Hudson from Albany to Schenectady | 15 miles. |
| The Saratoga and Schenectady, from Schenectady to Saratoga springs | 21 do. |
| | 36 |

These two rail roads from a continued line from Albany to Saratoga springs.

The principal works under contract, or in progress, are, the

| | |
|---|---|
| Ithaca and Owego rail road, length | 29 miles. |
| Harlæm rail road, from Harlæm, city of New York, to the Bowery, near Prince street | 7 do. |

## COBBETT IN PARLIAMENT.

Among the measures of reform which Mr. *Cobbett* proposes to introduce in British legislation since he has become a member of the house of commons, is one that that body should assemble in the morning and carry on its deliberations by day. At present it does not meet till evening, and frequently remains in session during the whole night. An healthy and vigorous legislation, it is urged, is incompatible with late hours, and that the public are entitled to the best time of their representatives. "All night work should, if possible, be avoided," says Mr. Cobbett, "birds of omen, bats, toads, and all noxious things, did their work at night:" if he ever published an English Dictionary as a companion to his Grammar, he would give to some words new definitions, as for instance, "*midnight*," "the time which bats, boroughmongers and banditti find to be most favorable for committing their depredations." The chief argument set up against this proposal, is the inconvenience it would occasion to the ministers, whose presence in a British parliament is absolutely necessary, whilst their time throughout the day, is occupied with the business of their departments. Another objection to it, not however, so deeply avowed, is that a complete change in the habits of life of many of the members would be necessary, 'ere it would be convenient for them to meet at the comparatively speaking, early hour contemplated by Mr. Cobbett.

[They who are not ignorant of the history of Ireland must remember that Mr. Plunket—now lord chancellor of Ireland—was one of the most eloquent and most zealous of those who opposed the *union* projected and effected by Mr. *Pitt* and lord *Castlereagh*, three and thirty years ago; and they will understand the annexed extract from a report of a speech recently inflicted by *Cobbett* upon the reformed house of commons:]

"In agitating and discussing the subject of the repeal, they had a right to go back to the opinions which were expressed by public men at the time when the union was first brought forward, notwithstanding those men might be in power now. The noble earl at the head of the government was justly cited as an evidence; and there was (said the hon. member, slapping the table with huge force) another man whom I shall now cite, and if there ever was a thing known which would make a man hate his name, the evidence which he would now bring forward, out of that man's own mouth, ought to have that effect. After using every argument that ingenuity, truth, reason, or justice, could inspire him with, against the union, after declaring the law by which it was effected to be one which wisdom, honor, and justice combined to repudiate and to disclaim, the person to whom he referred said, "For my own part I will resist this iniquitous measure to the last drop of my blood, and to the last gasp of my existence, and when the period of my dissolution approaches, I will, like another Amilcar, take my children to the altar and swear them, as Hannibal, to eternal hostility against the invaders of my country's freedom." (Cheers). Such was the declaration of the man to whom he alluded. And where was that man? Was he alive? Was he an exile from his injured, his deplored country? Had he fled the scene of her sorrows, and hid his head in a foreign clime? What! was it possible! Did he perceive that man in the present lord chancellor of Ireland? (Laughter). Yet indeed, could it be? Chancellor of Ireland, and perchance but an untoward and hateful destiny, the keeper and manager of those dungeons into which were to be cast the unhappy men who now sought to vindicate his opinions. And where, too, are all the young Hannibals? (Immense shouts of laughter). Where those youthful martyrs whom he was to swear at the altar—ay, "swear to eternal hostility against the invaders of his country's freedom!" Where were they? He would tell men where they were and what they were doing. There was Hannibal the first—(laughter)—the hon. and rev. Thos. Plunket, dean of Down, in the gift of the crown, including a district of six parishes—"bless his capacious soul!"—(a laugh)—a benefice of £2,863 per annum. Then comes Hannibal the second—the hon. John Plunket, an assistant barrister of the county of Meath, £600. Crown prosecutor—oh, oh! and there will be business soon for him—£900 and another appointment of £300—making a total of £1,700 a year for this youthful patriot. Next came Hannibal the third—the hon. David Plunket, prothonotary and examiner of the court of common pleas in Ireland, £1,500; having besides patronage to the extent of £4,100 a year. Again, a fourth Hannibal starts forth in the guise of Patrick Plunket, who, as secretary to the banker's commission, received £900; and from other sources an income, altogether, of £9,100. The hon. and rev. William Plunket next put in his claim, but he must be considered an ill-used man, for though he was incumbent of the living of Bray——

"Several hon. members—a vicar of Bray! (loud laughter.)

"Mr. Cobbett—yes, vicar of Bray; yet his income was but £470, with a house and glebe. The hon. Robert Plunket, another of the reverends, closed the list of this devoted family."

[The manners of St. Stephen's chapel are well displayed in a London reporter's account of the manner in which *Cobbett* was treated while proposing an amendment to the answer to the king's speech:]

"The hon. member was proceeding, when he was interrupted by repeated coughs and other discordant noises. "Sir," said he, addressing the speaker, I appeal to you to be so good as to keep order. The house is very much mistaken if it is supposed that I am to be put down. I am not silenced in that way, I assure you; and if this course of proceeding is to be persevered in I shall adjourn the house. (Laughter and cheers from the benches

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in the rear of the hon. member). The best way is for you to sit and hear me quietly, for I do assure you I was quite prepared for this. [The noises here partially ceased.] The hon. member continued. The people expected something more than they had hitherto obtained from the reform ministers—[loud coughing]—instead of their asking a reformed house of commons for leave to render Ireland the scene of bloodshed and civil war. [Loud coughing.] "If, sir," said Mr. Cobbett, "we cannot have order, I will adjourn the house. You may depend upon it I will not spare them a word, they shall hear every word I intend to utter. [Laughing and cheers.] The people [continued the hon. member] expected from the house of commons to hear that some measures of relief were to be applied—[loud coughing, which interrupted the hon. member, who good naturedly shook his head, and waited till it had partially, not wholly ceased]—and they also expected to hear from ministers some recommendation to the parliament to take from those plunderers, who now feed upon their earnings, their ill gotten wealth, and relieve them from those who had so long put their hands into the public purse. But no, none of these topics appeared in the speech from the throne. [Coughing, and attempts to drown the hon. member's voice."]

## CONDITION OF JAMAICA.

*From a correspondent of the Journal of Commerce*

*Kingston, 11th Feb.* 1833.

You have heard of the splendid estates and sumptuous living of the Jamaicans: of their planters who could vie with the princes of the earth in their gorgeous palaces and rich equipment. Alas! those days are past. Their estates are a burthen, and even their life is held by a slender tenure. They know not but that their food, served by a numerous retinue, contains the deadly poison. How horrible to fear the assassin and the incendiary, in the most familiar faces. Yet such is the case, and one of the fairest islands of this fair earth must be abandoned to beings whose situation has made them little superior to the beasts, and whose course is downward. You well know that I am no friend to slavery. Far be it from me to advocate it. I give facts.

Under existing circumstances, I am well assured that the white inhabitants cannot remain. Their costly sugar estates will not pay the expense of management. Credit is entirely extinct. An estate of 200 negroes could not hypothecate the ensuing crop for £200. In fact, merchants in England direct their factors to give no credit bottomed on cane top. Mortgagees relinquish immense sums rather than pay trifling annuities on estates. A hundred negroes were sold for $7,500. But legislation here and at home, a change of time, competition, and for aught I know, the natural and necessary consequences of the system of slavery, have brought about this state of things.

Certain it is that real estate is considered almost without value, a heavy island debt is impending, taxation intolerable, and life itself exceedingly precarious. I learned the above in conversation with two gentlemen who have been long in the house of assembly. The inhabitants generally labor under a keen sense of injury done them by the mother country, and look to ours as the land of promise. In consequence, many are making remittances to our cities. Some gentlemen of character and fortune have already removed, and many are preparing to follow. Those gentlemen informed me that the emigration would be immediate and large. They inquire with great earnestness respecting the agriculture of the free states, as nothing would induce them to live again in a slave country.

## SOUTH CAROLINA CONVENTION.

*From the Charleston Mercury.*

### JUDGE RICHARDSON'S SPEECH.

I have already (says the correspondent of the Mercury) given you the purport of what judge Richardson said, on the 15th, upon Mr. Phillips's motion to strike out the preamble of the ordinance. The following are his remarks, somewhat more in detail.

He set out by saying, that he approved so entirely the enacting clause of the ordinance, that he might even have omitted his objections to the preamble, if that question had not been set on foot by others.

He regretted that the convention could not content itself with the act, about which all seemed to agree: that it should have been thought necessary to join to that act, *reasons*, upon which we were certain to differ.

If preambles were to be employed, they should, at least, perform the proper business of a preamble. They should strongly and succinctly set forth the great motives to the legislative act; and, above all things, they should always found themselves as strictly as possible, upon perfectly correct facts. They should recite nothing that is not perfectly just.

Yet your preamble contains, among the chief facts that it alleges, two that are palpably incorrect.

Its first statement is this—"that congress has made such a reduction and modification of the duties upon foreign imports," as brings them down to a revenue standard.

I ask gentlemen, is this so? Are the duties reduced already to a revenue standard? I believe if the act is consulted, it will be found, that *no reduction happens till the 30th of December next:* that it is, even then, but a very partial reduction: that, upon one important article of southern consumption—low priced plains—the duties have been raised 45 per cent; in short, that this entire "reduction and modification," is future, and cannot therefore be spoken of, in the terms that you employ.

The second statement, in the preamble, seems to me little better founded. It is, that the duties are by the act, "*brought down to a revenue standard.*"

In this declaration, I cannot, after the most careful and dispassionate investigation that it was possible for me to give, by any means concur. If I in any sort understand the true merits of this compromise, they fall short of what the preamble attributes to them. I cannot, with the utmost effort of my vision, perceive that this modification reaches a revenue point. I grant that it is a step towards it; the second great step. For the reduction of last year was another, and the first.

I am far from believing that even your ultimate rate of 20 per cent. (which you are only to reach in 1842), will then be low enough. I am willing, however, to accede to your present steps, because the late act has really done much. I regard it as the *inception* of the overthrow of the American System. It is proof of that change, on which I had always relied—the change of public opinion. This is its true effect—no more.

### MR. MCDUFFIE'S REPLY.

Mr. McDuffie said, that it had not been his intention to speak upon this question. The remarks of the gentleman from Spartanburg compelled him to take the floor.

That gentleman objects to the preamble as asserting "*that a reduction had* been made." If the gentleman had been good enough to read that to which he objected, he would have seen that it asserts no such thing. The words run thus, "Whereas the congress of the United States by an act recently passed, has made such a reduction and modification of the duties upon foreign imports, as amounts, substantially, *to an ultimate* reduction of the duties to a revenue standard."

But, were it even as the gentleman supposed, what would be the common understanding of the words? Would any man apprehend them as conveying what was not true? I heard that very gentleman, last summer, speak in the very same form of the act of 1832, which had certainly not then gone into force. He then said, "that act had reduced the duties to the extent of between six and twelve millions."

His first objection therefore, becomes a mere verbal criticism—a technical quibble.

As to his second, let us see if the act *does* provide for an ultimate reduction of the duties to a revenue standard.

That principle is distinctly laid down in the bill; and it is joined to the further declaration, that no more revenue shall be raised, than is necessary to defray the economical expenses of the government. These, with a system of *ad valorem* duties, and a class of free articles, make the general principles of the bill.

Among the articles made free, in December next, are the very important ones of linens, silks, and worsted goods: classes of commodities exceedingly important to us; and which will give us, beyond all question, exchanges for our particular productions, amounting to at least 15 millions of dollars *per annum*. Linens, most especially, are strictly an article of southern trade: and all these would be paid for, by our productions only.

If this reduction do not go into immediate effect is it not as speedy as any of which the gentlemen can shew me an example. Was an instant reduction ever seen? Was such a thing ever claimed? Could it be made, without ruin to the commercial interest.

If the gentleman will examine, I assure him that he will find the reduction on the protected articles only, which is to happen in December next, between three and five millions; besides ten per cent. general, on the receipt of duties of all such unprotected articles, as pay more than twenty per cent.

Surely then, all these advantages made the bill not entirely unfit to be compared with that of 1832, which this gentleman and his friends magnified as "the best of all possible bills"—as a bill that it was a species of impiety not to fall down and worship.

What is our present position as to this question, compared to our former one? Four years since, what said your popular president?—the man who, from the boundless ascendancy of popular favor, wields the whole force of your democracy? He said that a system, for the purposes of protection alone, would never in this country be abandoned—"that this was neither to be expected nor desired."

What said he, once again? "That no arrangement of the duties could ever be expected to take place, which would not always leave a large surplus revenue in the treasury."

I ask the gentleman, where is now the man who would dare say this? There is not such a one in congress. Even Mr. Webster, the boldest champion of the system, now shrinks from such an avowal, and cowering before the strength of our principles, admits that only such revenue may be raised, as the economical administration of the government requires.

How would he have been regarded four years ago, who set up even a claim to this principle? Sir, he would have been treated as a mere madman—a political Quixote.

But "this," it seems, "is but the second step." So says the honorable member, whose opinion I can little expect to shake. My own, however, made up in close view of all the facts, is utterly opposite: and I here solemnly declare, in the presence of God, that the act of 1832 would never have been touched, except for the acts of this state. Sir, the fact was avowed to me by a union member of this state—one of the most distinguished of his party, and high in the confidence of the president.

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But the gentleman refers all reduction to the agency of the executive. Has he forgotten when, only last summer, we were told with the utmost pomp of statements almost under the great seal, "that the tariff was completely brought down to the wants of the government?" Can he not remember how these were heralded to us here, for purposes that I need not now mention? Why sir, all the world knows, that this tariff of 1832 was a Jackson tariff. Upon that tariff was he voted for—upon that tariff elected. Think you, sir, that his last message would have been sent, if his election had been then pending? Never! No, sir. That tariff, not yet put in execution, was his, and as such, openly avowed as the final settlement of the question. Every man who refused to accept it was denounced. It was the test, the very bond of Jacksonism, held up as such to the whole host of the timid or the corrupt; and reverently kissed as the new covenant of faith, by all who aspired to be the friends of the president.

Within a little three months, lo! he comes to us, with a message to recommend a reduction of the duties!—of duties not yet gone into effect—of duties, just now clamorously proclaimed to have been reduced to their lowest possible rate—of duties, to be content with which, had just now been the very test of Jacksonism!

And what was the high motive that urged him to this? I speak it with regret, for the president, and with shame, for the country: but I only speak what I know, when I say that he did it, to crush the party that he hates, in this state. He did it, that he might be able to hold up these declarations to them and say, "audacious rebels! look what Andrew Jackson has said! Traitors that you are! why did you not wait?"

To this, it was impossible for us to reply, unless humbly, in such sort as this: "How, may it please your majesty, was it possible for us to guess this? Was it easy to divine that you,—the Ajax of the tariff just adopted, were, in the next moment to turn its destroyer? What, but the spirit of prophecy, or of omniscience, could have foreseen a course so devious."

As for Clay's bill, I voted for it, with strong reluctance. I did not regard it as doing enough. On this question, my peculiar views are well known to be different from those of the chief part of the southern country. Had I consulted them alone, I should have said "accept only of uniform *ad valorem* duties." I did not, however, think that my particular personal opinions should be forced upon the south; and I acquiesced in the undivided wishes of our friends.

It is true that what has been obtained must be regarded as in some sense, an achievement. It is, for the moment, a victory. But it is only such, if the people, now awakened, refuse to let it lull them into even an instant's security. There is, in this general government, a proclivity to consolidation, that nothing except the most resolute watchfulness can stay. The southern states are made, by their peculiar position and institutions, the centinels of the liberties of this confederacy. Were I to die this night, my last words should be, to bid them act, as if the day were at hand, when they must defend their freedom.

Strong as is the present cause of contest, and powerful as is the necessity that compels us to maintain this battle, a yet deeper cause, bringing with it a still more imperious necessity of resistance, lies beneath the present question. We were threatened with it, even at this *session*, and in the very midst of questions, that already asked the whole wisdom and moderation of the country to appease them. They told us, openly, that we must pay for the vice in our institutions; that the free labor of the north must not—shall not be degraded to the same footing with the slave labor of the south.

If, then, I am disposed to accept this compromise, it is with a distinct annunciation to our people, that their zeal, their courage, their vigilance, must not be abated; nor must they, for a single instant, intermit their military preparations. I tell them, that we have greater need to be prepared to defend ourselves against these people, than against a foreign enemy. I have heard them, even in congress, talk openly of attacking us; and that, in a manner, with an exultation—that would render fiends themselves as fit confederates for us, as these men.

Without such preparation, and without a strong military spirit, no people ever yet maintained its liberties. But all our peculiar circumstances—all our institutions—render a thorough system of defence absolutely indispensable to our safety as well as freedom. Our militia should be as well trained as the armies of Napoleon.

It is, besides, possible that this accommodation—this compromise—may not be respected. As that compromise should be our very utmost concession, we must hold ourselves ready to take the most decided steps, the instant that it is violated

As for the force bill, it is clearly an attempt to vest in the president all authority whatsoever. Gigantic as are the powers that it gives he will know full well how to eke them out, with supplementary violence, if an occasion ever should arise, that could, by chance, render a yet wider discretion necessary. Of his skill and moderation, in construing the law, we have no unapt example in his notion of hanging the Hartford convention, *under the 2d section.*

The powers now conferred upon him are far more than dictatorial. Rome, it must be remembered, never appointed a dictator except in the very last public necessity, when the *existence* of the state was threatened. Here it is done for much more than a year, and upon a mere question of the revenue laws.

Finally, to compare this bill with Mr. Verplanck's, which the presidential party attempt to place above it, as far better for the south. This bill has the principle of equal duties. Mr. Verplanck's had no principle whatever. In this, the *minimums* are totally abolished: in that, a number of specific duties were retained. In this, there is no heavy burden on the great articles of consumption. In that, those very articles are heaped with extravagant duties.

As to the reduction under the present bill, it must not be overlooked, that the largest annual diminutions are made to fall precisely on those things which are taxed the most.

The correspondent of the Mercury, adds—I give you the general substance of the above; and, I believe, with not a little fidelity. As to its *spirit*, however, and that ovewhelming energy of utterance; that intensity of thought and passion, with which he pours out his strongest passages; I cannot, of course, give you the slightest image of that. I have only attempted his speech, indeed, because I knew that the public curiosity demanded it, and because there was little probability of his publishing it.

Yours, &c.

## SOUTH CAROLINA—SCRAPS.

Before the Natchez left Charleston, capt. Zantzinger gave a splendid entertainment on board his ship, to a very large company of ladies and gentlemen—the latter of both political parties. On the departure of the Natchez, the Courier, a union paper, bid her "God speed," at which the Mercury took offence. The Courier thus rejoins:

The *Mercury* quotes our farewell apostrophe to the *Natchez*, and appends to it the following doggrel lines, which are certainly entitled to all the praise that bald wit, impotent spite, and unmeaning profanity, can win for their common offspring:

"God bless the royal troops, though treason scoff;
God bless their pigtails, though they're now cut off!
And if at Washington old Nick should revel
As president elect, *God bless the devil!*"

The *Mercury* may well say that it does not "*boast* of the passage of CLAY's bill as a triumph." Such ebullitions of ill nature as the foregoing betoken any thing but the feeling of victory. We confess ourselves at a loss how to appreciate that patriotism which finds cause of offence in our invocations of blessings on the gallant ship which has for sometime reposed so gracefully on the waters of our harbor, dispensing its hospitality to our citizens, without distinction of party, and proudly unfurling to the breeze the honored and glorious flag of "union and liberty."

We find the following article in the Charleston, (S. C.) Mercury, it is a precious piece of coxcombry and deserves to be embalmed, like the holy beetles in Egypt:—

The *Courier* asks whether the United States flag formed any part of the decorations of the state rights ball. It did not; and there was reason that it should not. The ball was given by those who had volunteered to defend their state from invaders sent against her under that flag. Our harbor has not yet been evacuated by the president's forces, and the flag of the union is seen daily floating over our forts strengthened *against South Carolina*. Besides the United States flag is identified with the bill of blood, so long as that infamous bill remains unrepealed. When *that* is torn from the statute book, and all hostile manifestations against our state have ceased, and we can think of the union without thinking of tyranny, then, and not till then, can the flag of the union regain in the bosoms of Carolinians, the reverence and affection it once commanded.

The Camden, (S. C.) Journal says: The nullifiers of Georgia appear to be rather more fiery than those of our state. The members of the club at Macon, on hearing that Mr. Forsyth had voted for the revenue collection bill, assembled and prepared an effigy of their senator, which they suspended by the neck, and after amusing themselves for an hour with grinning and making wry faces at it, they set it on fire!—But this was not sufficient fearing they would not acquire "*renown*" enough should they stop here, they loaded a 24 pounder, and, at the distance of eight paces, fired at the senator and completely demolished him—not "a vestige of the noble figure could be found," not even—a "*grease spot!*"

The Richmond *Whig*, which has strongly condemned both the president's proclamation and the "force bill," thus speaks of the new nullifying ordinance of South Carolina:

"Contrary to our hope, the force bill has been nullified by the S. Carolina convention—an injudicious step we think, and almost as supererogatory as the act itself. When by the repeal of the ordinance at November, the enforcing act was deprived of subject matter whereupon to act—when no appeal had been taken to congress against it, and no opportunity offered for the deliberate reflection of the country to perceive its inutility, impolicy and unconstitutionality, we must think that South Carolina has acted with a precipitancy unworthy of her own dignity, and extremely calculated to embarrass her friends and impair the success of their exertions for a legislative removal of the grievance. Do we not know that the principal difficulty in compromising the tariff was the apprehension that the act would be ascribed to intimidation? Do we not know that the argument which has arrayed, by its plausibility, almost the whole American people against her, was—"what—shall twenty-three states yield to the dictation of one?" She has again, needlessly, exposed her conduct to the same odium, her cause to the same

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prejudice, and her friends to increased embarrassment. If before, her attitude was so formidable a bar to the repeal of the tariff, how much more so will it be *now*, when the same urgency does not exist, when the same long continued efforts have not been used, and when even those who justify the *principle* of nullification, are compelled to condemn its every day and unnecessary use?"

## GEORGIA AND THE CHEROKEES.

*From the U. S. Telegraph.*

The National Gazette contains a communication on this subject, in which it is attempted to be shown that the bloody bill cannot be made applicable to the Cherokee case. For some reason or other, we cannot conceive what, the Gazette countenances the same idea. We do not wish to charge the Gazette with an attempt at deception; but does not the Gazette know, what is well known here and elsewhere, that the sections referred to were introduced, we might almost say, expressly for the purpose of being applied to the Georgia case. It was soon known that it was intended for them to be so applied; and whatever doubts might have been entertained upon the subject, were soon removed by the Indian delegation. They indirectly refused to sell, although the government made them an offer of two millions and a half, and would have gone to three millions. We are not sure but that three millions were offered. Has the Gazette never heard that it was with difficulty the president could be got to sign the bill? The truth is, the administration was outwitted. They discovered it, but not until it was too late. The president gave himself up, bound hand and foot, to his new friends, and they had not the least compassion for him.

But what will Georgia do when the mandate of the supreme court comes? Will she acknowledge her sins, repent and obey? Will she look to the white house for countenance and forbearance? In vain! the proclamation stares her in the face. Will she look to her union and proclamation men—her advocates of the bloody bill, her Forsyths and her Waynes? It will be needless. They have sold her to the Philistines, and shortly hope to receive the price of their treachery. Will she look to the union men of the adjoining states? Alas! their cry is submit! submit! the law of congress must be executed!

*From the Georgia Recorder.*

In conversation with one of our representatives, since his return from Washington, we learned that previous to the passage of the enforcing bill, the Cherokee delegation, then at the seat of government, for the purpose of treating for their lands, showed every disposition to make a treaty; so much so, indeed, that the secretary of war considered that the basis of the treaty had been settled to the satisfaction of the chief, and that it required but the formalities of the business to complete it. When lo, and behold, so soon as the law for forcing the states was passed, the secretary, to his astonishment, was first informed of their change of opinion, by the reception of a note from the chiefs, very politely inquiring at what time it would be convenient for them to take *leave of their great father, the president*, as they only waited that ceremony to return to Cherokee.

## GOVERNMENT DEPOSITES.

HOUSE OF REPRESENTATIVES, SATURDAY MARCH 2.

The following resolution reported yesterday by the committee of ways and means coming up for consideration:

"*Resolved*, that the government deposites may, in the opinion of the house, be safely continued in the bank of the United States."

*Mr. Polk* said he hoped that gentlemen who believed the time of the house at this period of the session, to be necessarily valuable, would not press the consideration of this resolution upon the house at this juncture. During the small remainder of the session, there were several measures of the highest public importance, which remained to be acted on. For one, he was extremely anxious that the session should close by 12 o'clock to-night, in order that a sitting upon the Sabbath might be avoided. He would not proceed in expressing his views until he should understand from gentlemen whether they intended to press the house to a vote on this resolution. [A remark was made by Mr. *Ingersoll*, which was not heard distinctly by the reporter.] Mr. P. proceeded. As it had been indicated that the gentlemen intended to take a vote upon the resolution, he would ask whether it was possible for the members of the house to express their opinions on this subject with an adequate knowledge of the facts? The committee of ways and means had spent nearly the whole session in the examination of one or two points connected with this subject. The range of investigation had been of necessity much less extensive than the deep importance of the subject required—but before any opinion could be properly expressed, it was important that the facts developed by the committee should be understood. There had been no opportunity for this—and there was no necessity for the expression of a premature opinion unless it was considered essential to whitewash the bank. If the friends of the bank deemed it indispensably necessary in order to sustain the bank to call for an expression of opinion, where the house had enjoyed no opportunity of examining the testimony and proof upon which alone a correct opinion could be formed, he should be compelled briefly to present one or two facts to the house. It had been one of the objects of the committee of ways and means to ascertain the circumstances relative to the postponement of the redemption of the 3 per cent. stock by the bank. With the mass of other important duties devolving upon the committee, as full an investigation of the conditions of the bank as was desirable, could not be expected.—The committee, therefore, had been obliged to limit their inquiries to this subject of the 3 per cents—the other subjects of investigation were only incidental. Upon this main subject of inquiry the whole committee, majority as well as minority, were of opinion that the bank had exceeded its legitimate authority, and had taken measures which were in direct violation of its charter. He would read a single sentence from the report of the majority which conclusively established this position. In the transactions upon this subject the majority of the committee expressly say, in their report; that "the bank exceeded its legitimate authority, and that this proceeding had no sufficient warrant in the correspondence of the secretary of the treasury." Could language be more explicit? It was then the unanimous opinion of the committee, upon this main topic of inquiry, that the bank had exceeded its legitimate authority, and that its proceedings, relative to the 3 per cents. had no sufficient warrant in the correspondence of the secretary of the treasury. The bank of the United States, it must be remembered, had been made the place of deposite for the public revenues, for the purpose of meeting the expenditures of the government. With the public money in its vaults, it was bound to pay the demands of the government. Among these demands upon the public money in the bank, was that portion of the public debt, of which the redemption had been ordered. Had the bank manifested a willingness to pay out the public money in its possession for this object? On examination of the evidence, it would be found, that as early as March, 1832, the president of the bank, without the knowledge of the government directors, had instituted a correspondence with certain holders of the public debt, for the purpose of procuring a postponement of its redemption. There was at that time no cholera which could be charged with giving occasion to the correspondence. When public notice had been given by the secretary of the treasury, of the redemption of the debt, the president of the bank immediately came to Washington, and requested that the redemption might be postponed. And what was the reason then assigned by the president of the bank, for this postponement? Why, that the measure would enable the bank to afford the merchants great facilities for the transaction of their business under an extraordinary pressure upon the money market. What was the evidence upon this point? The proof distinctly shewed that there was no extraordinary pressure. The monthly statements of the bank established that there was in fact a very considerable curtailment of the facilities given to the merchants in the commercial cities.

Mr. *Wickliffe* rose to a question of order. The subject under consideration was a resolution declaring that the bank was a safe place of deposite for the public revenue. He submitted whether it was in order to discuss upon this resolution the redemption of the 3 per cent. stock.

The *chair* (temporarily occupied in the absence of the speaker by Mr. *Taylor*) decided that the remarks of the gentleman from Tennessee [Mr. *Polk*] were in order.

Mr. *Polk* proceeded. The gentleman from Kentucky [Mr. *Wickliffe*] appeared to be very sensitive upon this subject. It was not long since that gentleman in a toast given at the Jefferson dinner expressed the most decided hostility to the bank.—He would leave to that gentleman to explain the reasons which had produced the sudden change of his opinions, and from a violent opponent had converted him into a most zealous advocate of the bank. What was the object of explaining this matter of the 3 per cent. stock? Not to waste the time of the house which was now so precious, but to shew that the management of the bank relative to the 3 per cents. distinctly proved that the bank was not able to pay the public money deposited in its vaults for the redemption of the public debt without obtaining a loan from abroad. The minority of the committee of ways and means had not disputed the ability of the bank to discharge its debts in its own convenient time—but had the bank promptly paid the public money deposited in its vaults when called for? As early at October, 1831, the bank had anticipated that during the course of 1832 it would not be allowed the undisturbed and permanent use of the public deposites. In the circular orders to the several branches which were then issued the necessity was stated for collecting the means for refunding those deposites from the loans which were then outstanding. Efforts were made by the branches of the west to make collections for that object; but those efforts entirely failed. The debts due upon loans made by the western branches had not been curtailed. It was found impossible to curtail them. As the list of discounts had gone down, the list of domestic bills of exchange had gone up. The application before alluded to was made in March to Mr. Ludlow, of New York, who represented about 1,700,000 of the public debt to postpone its redemption. This expedient also failed. Then the president of the bank came to Washington for the purpose of procuring the postponement of the period of redemption upon the ground that an extraordinary pressure existed, and the public interest would be promoted by enabling the bank to use the public money in affording facilities to the merchants of the commercial cities. And what next? In July, the president of the bank and the exchange committee, without the knowledge of the head of the treasury, or of the board of directors of the bank, instituted a secret mission to England, for the purpose of negotiating in effect a loan of five millions of dollars, for which the bank was to pay interest. The propriety

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or object of this mission was not laid before the board of directors, and no clue was afforded to the government. Mr. Cadwallader went to England upon this secret mission. On the first of October the bank was advised of the arrangement made by Cadwallader, by which it was agreed in behalf of the bank, to purchase a part of the debt of the foreign holders, and to defer the redemption of a part. Now, it was well known to every one who had taken the trouble to read the charter of the bank, that it was expressly prohibited from purchasing public stock. On the 15th of October it was discovered that Cadwallader had exceeded his instructions. This discovery by the bank took place immediately after the circular letter of Baring, Brothers, & Co. of London, announcing the arrangement, had been published in one of the New York papers. This circular gave the first information to the government, or to any one in this country, as far as he was advised, excepting the exchange committee of the bank, of the object of Cadwallader's mission. In the limited time which could now be spared for this discussion, it was impossible to go through the particulars of this scheme. It would be seen on examination of the transaction, that the bank had directly interfered with the redemption of the public debt, for the obvious reason that it was unable to refund the public deposites. The cholera was not the ground of the correspondence with Ludlow. It was not the cholera which brought the president of the bank to Washington, to request the postponement of the redemption of the debt; nor was it the cholera which led to the resolution of the exchange committee of the bank to send Cadwallader to England. The true disorder was, the impossibility in which the bank found itself to concentrate its funds and diminish its loans. It had been stated in the report of the majority of the committee, that the certificates of the greatest portion of the 3 per cents. had been surrendered. It had been said that there was now less than a million of this debt outstanding. In point of fact, it would seem from the correspondence, that between one and two millions of the debts of which the certificates had been surrendered, had been paid by the bank becoming debtor to the foreign holder instead of the government. The directors appear to suppose this has not been the case, but the correspondence shows that the certificates have been sent home under this arrangement. After this brief explanation of the conduct of the bank in relation to the public deposites, he would ask, whether it was necessary to sustain the credit of the bank by adopting this resolution? Is it supposed because a majority of the house were friendly to the institution, that it is necessary for them to declare the opinion expressed in this resolution on faith—and faith alone? He had no desire that the resolution should be negatived. If he was compelled to vote on the resolution, he should vote against it—but he was willing that congress should defer the expression of its opinion until the facts upon which it must be founded are understood. This opinion could make no difference as to the duty of the government. Whenever the secretary of the treasury shall deem the public deposites unsafe in the bank, it is made his duty to withdraw them, and to lay his reasons before congress. The previous opinion of the house—especially an opinion expressed without means of examination, neither takes from nor adds to the responsibility of the secretary of the treasury. Pressed as the committee of ways and means have been with their various duties, they had, at a late period, called for the correspondence of the bank in September, October, and November, in order to ascertain, as far as might be practicable, by that means, the condition of the debts due to the bank in the west. What had been seen in this correspondence? That such had been the condition of one of the western branches, great alarm had been felt as to its power of going on, and prompt assistance had been necessary to prevent its stopping payment.

Mr. *Wickliffe* inquired what branch the gentleman referred to?

Mr. *Polk*. That at Lexington, Kentucky.

Mr. *Wickliffe* said, any difficulties in which that branch had been involved, had arisen from its accommodations to Jackson politicians.

Mr. *Polk*. Jackson politicians! The member from Kentucky can best answer to his constituents what sort of Jackson politicians have been accommodated by the bank. Much had been said in certain quarters of the persecution of the bank, and of the malice of the administration towards that institution. The whole crime of the administration is the demanding the public money from the bank for the purpose of paying the public debt. As to the condition of the western debt, about which so much had been said, and which was represented to have been so much reduced, it will be found that the principal reduction consists in what Mr. Cheves called race horse bills. The old debt is paid by drawing a new bill, payable in a different place. When that bill becomes due it is paid by another of a similar character. Unless these successive discharges and creations of debt diminish its aggregate amount, it will be found that very little, if any curtailment has taken place.

The hour allotted to morning business having expired,

Mr. *I. Bates* moved the orders of the day.

Mr. *Ingersoll* expressed a hope that the debate would be permitted to proceed.

Mr. *Bates*, then withdrew the motion.

Mr. *Polk* resumed. It was no fault of his that the report of the committee had come in at so late a period. He felt it to be his duty to offer a very brief exposition of the reasons why he did not regard it as proper for the house to express its opinion upon this subject without any opportunity for examination. The facts collected by the committee would go forth, and every man could then form his opinion. He would move to amend the resolution by striking out the whole after the word "resolved," and inserting "that the committee be discharged from the further consideration of the subject." He would not pursue the discussion while so many important subjects pressed upon the house on the last day of the session. Whatever might appear to be the condition of the bank at a superficial glance, a careful scrutiny of its measures and its affairs would satisfy any impartial mind that its condition was not that which had been represented by its zealous friends. Without dwelling upon the particulars, he would sum up his objections to the resolution in its present form by stating that the bank had unwarrantably interfered with the arrangements of the government in reference to a great national object. In this, both the majority and minority of the committee had agreed. The secret of this interference would never have been disclosed but from the accidental publication of the circular of the Barings addressed to the European holders of the 3 per cents. The correspondence which had now for the first time been drawn from the bank was most material and important in the decision of the question, and was until this time entirely unknown either to the treasury department or to the house. He could have hoped that the friends of the bank would not have pressed the resolution. Had it been properly in order, he would have adverted to the manner in which the bill relative to the sale of the bank stock had been treated—and all reply to the arguments of those who opposed it prevented by the previous question. He enjoyed the satisfaction of having endeavored to discharge his duty to the country in relation to this subject. Should he live, he trusted to be able to contribute something further towards the developement of the transaction of this institution. From what had already been disclosed, it appeared that the most important business of the bank is exclusively transacted by the committee of exchange appointed by the president of the bank, and under his immediate direction. That this committee makes no report of its proceedings to the board of directors, and that none of the directors appointed in behalf of the United States are members of this committee. It appeared to him to be the most consummate folly to go through the ceremony of appointing directors for the purpose of protecting the public interest—while these directors are excluded from all knowledge and participation of the more important transactions of the bank. He would appeal to the house whether we ought to be satisfied with the management of an institution so deeply connected for good or evil with the great interests of the country in which those appointed to guard the public interest are totally deprived of all means of knowledge of its leading measures.

Messrs. *McDuffie* and *Ingersoll* rose simultaneously. The former gentleman was named by the chair. Mr. McD. then remarked that he would give way to the member of the committee of ways and means.

Mr. *Ingersoll*, of Connecticut, said, the gentleman from Tennessee, (Mr. *Polk*), who had just addressed the house, could not regret more than he did, the late period at which this question is presented. But who were chargeable with the delay? Not, certainly, the bank, nor any of its friends. No sooner was this subject referred, and the news of it had reached Philadelphia, than Mr. Biddle addressed a letter to the chairman of the committee of ways and means, respectfully offering every facility to the proposed investigation, and inviting the utmost latitude of search. There had been also constant and untiring efforts made to bring the report forward earlier in the session, that it might receive the action of the house before the adjournment. The friends of the bank, he repeated, were the last who should be held responsible for the tardy movements now complained of.

Mr. *Polk* here rose and said, that he had asked but for the postponement of a single day, to enable him to complete the minority report. That was refused, but the chairman having accidently left the majority report at his lodgings, the delay he had requested was obtained.

Mr. *Ingersoll* resumed. It was not that to which he alluded. An effort had been made a week ago to have the report made—the examination of witnesses was then closed, and our labors were about to be submitted to the house, as he supposed, when, to his surprise, the gentleman from Tennessee asked for delay, to send to Philadelphia for further correspondence, which would necessarily require some time to have copied, and but for this, we should have had the subject before us several days since, with ample opportunity for the fullest examination, and the freest debate. Then, as to the witness summoned, they were nearly all brought before the committee on the motion of the gentleman from Tennessee. He took his own course—every body was examined whom he saw fit to send for, as was certainly right and proper. He, (Mr. I.) did not complain of this, but surely we ought not now to be responsible for this course, since, in consequence of it, the report has been kept back to the heel of the session.

Mr. *Polk* said he had called for the examination of no one, excepting the directors appointed by the government, and gen. Cadwallader.

Mr. *Ingersoll*: Gentlemen had summoned whom they pleased: he, (Mr. I.) had called not a single witness. He was willing to trust the scrutiny to the hands of the opponents of the bank—let them probe it to suit themselves. All he asked was, when they were done, that they would permit the house to pass its opinion, and send the whole to the people for their ultimate decision. For himself, he must confess, he was sick of seeing

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reports sent forth, unaccompanied by any opinion of either house of congress upon them. The people have been surfeited with such papers—we have had majority reports, and minority reports, and what an hon. member from S. Carolina, (*Mr. W. R. Davis*), he believed called unicorn reports, but they all brought us to no practical result, so long as they were not acted on by the house. They filled the flying folios of the newspapers of the day, or crammed the mails in the shape of public documents during the recess, without benefitting any class of our citizens much, except the legions of speculators, monied and political, who sometimes turn them to a profitable account. It was time that these matters were treated in a different way—that the representatives of the people should now act. This resolution, he rejoiced to see, had something tangible in it: it invites us to speak out, and to say, under the solemnity of our oaths, whether the government deposites ought to be continued where they now are, and have been in safety for the last seventeen years—or whether they shall be carried into the market, to be bid for by the local institutions. Will gentlemen now turn from this inquiry the moment we have reached it, and tell us that it does not belong to us—that it ought not to be settled before we separate? Have we then been employed all winter, in our committee room, to no purpose? Or, have we been working, day and night, merely to raise a smoke for political effect, at the end of the session, under which a new set of majority and minority reports are to be launched upon the public—still leaving the opinion of the house on these grave matters unrevealed? Has not congress been directly called upon, and from high authority, too, to express an opinion? Did not the secretary of the treasury, in his annual financial report, invite it; and was not the subject brought to our view in the executive message, at the opening of the session? We have not sought for this inquiry, but we cannot shun it, with credit to ourselves, since it has been put to us.

What, then, is the condition of the bank of the United States, as a place of safe deposite, compared with the other banking institutions of the country? From the evidence now spread before the house, he would assert with confidence, that it was decidedly more sound than the state banks, to which the funds must go, if taken from their present place of deposite. Nay, from an exhibit lately made of the affairs of the bank of England, it will be seen that the United States bank, in proportion to its capital, is the strongest of the two, applying the same tests to the comparative statements of each. Let us see how these different institutions appear by each other's side. The bank of the United States has now about nine millions of specie, to a circulation of about seventeen millions and a half. All the local banks in the union, combined, have but between ten and eleven millions of specie to a circulation of about sixty-eight millions. The bank of England, by its latest returns, had, speaking in dollars, about twenty-six millions of specie to a circulation of about ninety millions. And yet, with facts like these staring us in the face, it is gravely suggested that the deposites would be in less danger of being squandered if removed to the local banks, with their circulation six times beyond the specie in their vaults: aye, sir, to local banks, which left you saddled with a certain "unavailable fund" of nearly a million and a half, when you used them as places of deposite on a former occasion. The banks of the state of New York would probably come in for a larger share of the government deposites than those of any other states, for there the greatest portion of the revenue is collected; and let us see how they stand. It appears by an official statement, recently published by sworn commissioners, that they have but about $1,700,000 in specie, to a circulation of about twelve millions: and it will further appear by the evidence reported, that at the time when those banks had but this inconsiderable amount of specie on hand, they were indebted to the United States bank, more than two millions of dollars, which might have been called for at any day, thus draining them of every specie dollar.

Will any man, can any man, with these statements before him, say that the safety of the public funds requires their removal to the local banks? It was in vain to blink this question by going into the extraneous matter of the three per cent. arrangement, which had been now nearly brought to a close. The secretary has put the question to us in regard to the safety of the bank as a place of deposite for the public money, and we are bound at all events to respond to that. But if gentlemen are determined to rake up the three per cent. affair, he was willing to meet them there also; for he believed that transaction, from beginning to end, to have been fair, prudent and honorable, and intended much more to aid the mercantile community, especially those indebted to the government on custom house bonds, than for any particular accommodation to the bank itself, except so far as it might be benefitted by shielding its customers and the local banks too from an unusual and unnecessary pressure. Much stress has been placed on the mission of general Cadwallader to Europe. It had been called a secret mission, unauthorised by the board of directors, and particularly without the knowledge or authority of the government directors. Now, sir, it is an undeniable fact, that early in the spring of 1832, in the month of March, at a regular meeting of the board, at which two of the government directors, residing in Philadelphia, were present, (the third being accidentally in the country), the president submitted his views in relation to paying off the three per cents. in the course of the year, more than one half of which he stated belonged to foreigners, the withdrawal of whose funds might possibly expose the community to great inconvenience, unless some measure should be taken for deferring a part of the payments; after which it was, by the board

"*Resolved*, That the subjects of the communication just made by the president, be referred to the committee on exchange, with authority to make, on behalf of the bank, whatever arrangements with the holders of the three per cent. stock of the U. States may, in their opinion, best promote the convenience of the public and the interests of the institution."

This resolution is recorded in the books of the bank, it was passed in the presence of two of the government directors, and at the next meeting of the board, was read over in their presence, and in the presence of the third government director who had then returned to the city. There was no secrecy in all this. The record had been always open, as the books of the bank always were, to the inspection of every director, and every government spy who might have a right to examine them. One of the directors on the part of the government belonged to the very exchange committee to whom the subject had been referred. He alluded to Nicholas Biddle, who had for several years, and under different administrations till January last, been appointed a director by the government. And although since this controversy has arisen in regard to renewing the charter, Mr. Biddle had been cast off by the administration, yet he was an honorable and an honest man, and no one on this floor would say to the contrary. This committee, thus organized, and thus fully empowered as has been shown, by the board, to make all the arrangements which they might see fit in regard to the payment of the three per cents. sent general Cadwallader to England, as he had been entrusted with a similar mission under the presidency of Mr. Cheves, and through his agency a portion of the European holders of the three per cents. have agreed to give up their certificates to the government, thus clearing the United States from any further liability, and taking the house of Baring & Co. of London, in whose hands the bank has ample funds, as security for their money, which they will receive with interest in October, 1833. By this arrangement the business men of our country, who are debtors to the bank, have not been disturbed in their usual accommodations, though their discounts must have been materially curtailed, and the local banks pressed in their turn too for balances, had these foreigners all been paid at the counter of the bank, on this side of the Atlantic—and the result to the government, (the certificates being surrendered), is the same as if the specie had been shipped abroad in exchange for the stock certificates. So high is the credit of this institution in Europe, as appears by the correspondence which had not been received at the time the directors appeared before the committee, and therefore is not in the evidence reported, that some of the foreign holders have refused to take the money, and insisted on the bank's keeping it at an interest of only three per cent. till next October, under a previous offer. They have, however, while doing this, surrendered their certificates so as to exonerate the treasury from any liability to them. The bank had the funds in Europe in the hands of its agents, to pay them off, and through its agent made a tender of the money, which the holders declined taking. Let it be remembered too, that when general Cadwallader embarked, it was wholly uncertain whether the condition of the treasury would enable the secretary to pay off the debt advertised to be paid, without obtaining money for this favorite purpose of the secretary, from this same much abused bank. Mr. I. said he wished the house to mark, and the country to know, that on the 19th of last July, the secretary addressed a letter to the president of the bank, stating that if the funds of the United States should happen to be inadequate to the redemption of the three per cents. he must rely on the bank for the necessary facilities. Here is the letter of Mr. McLane; that there shall be no mistake about it, you shall have its very language. It is dated, treasury department, 19th July, 1832, and reads thus:

"Sir, it was not until to-day that I have been able to ascertain the amount of the appropriations made at the last session of congress, and therefore I have not been able to decide before now upon the amount of the three per cents. to be redeemed on the first of October. I find, as was supposed when you were here, that we shall be able to pay off about two-thirds at that time. A notice will accordingly be given in to-morrow's paper, for the payment of that amount on the first of October, and the remaining one third on the first of January. *This has been done with the understanding had between us, that if it should happen that the public monies are insufficient to complete those payments, the bank will delay the presentation of any certificates of which it may have the control until the funds are sufficient to meet them, the interest to be paid by the United States during the interval.*"

Yes, sir, the treasury department was arranging with the banks if the state of the public funds should require it, to hold back the stock certificates, which the secretary had invited in by an official advertisement, and which he was bound to pay when presented. All this was very right in the high officer at the head of the treasury; but it is a mighty offence when the bank, through its agent, proposes an arrangement, not more exceptionable certainly, with the original holders of the certificates in Europe. We can make a flourish about paying off the national debt, while the secretary of the treasury has at the same time a private understanding with the bank, to "delay the presentation" of the stock certificates which it may happen to hold, even if "interest is to be paid by the United States during the interval;" but if the bank proposes to allow interest to the European stockholders, though their certificates should not be delayed, but surrendered up—that is a very different affair; it so shocks the sen-

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sibility of the secretary, notwithstanding he penned the letter of 19th July, that he sends the matter to us, as a grave subject for inquiry, and hints a doubt as to the safety of his deposites. Now, sir, the bank had precisely the same right to come to the arrangement with the European stockholders, even if it had been agreed with them to "delay the presentation" of their certificates, as Mr. Secretary McLane had to come to an understanding with the bank "to delay the presentation" of any certificates within its control, on being paid the interest. The secretary is not the United States, nor the government—he is but a high and honorable public servant, and the bank is a humble one. When, therefore, gentlemen ask what authority the bank had to do what it has done, let them first tell us where and how does the accuser of the bank, the secretary of the treasury, obtain the power to do what he has done. It is true he did not have to resort to the bank, as things turned out, for funds to enable him to meet his payments; nor did it become necessary for the bank to "delay the presentation" of the certificates; but that does not vary the right of either to enter into their respective arrangements. If the secretary's letter of 19th July, recognizing the understanding to "delay the presentation" of the certificates when the funds might fall short, has worked no harm, neither has the arrangement of the bank agent worked any harm in regard to the three per cents.—for more of those certificates have been actually paid off and surrendered to the treasury, than would have been, had no movement been made about them. It may be a little curious to know how the secretary had met these payments without resorting to the bank for aid. Mr. I. said he had looked into this matter, and believed the business had been done in this way. The secretary had taken monies that had been appropriated by congress to other objects, the unsatisfied appropriations, so called, and applied them to the payment of the public debt. The annual report on the finances had informed us that there were due from the treasury about five and a half millions of dollars for unsatisfied appropriations: nearly the whole of this amount had been taken by the secretary, and applied towards the extinguishment of the funded debt. Besides this, congress at the last session granted pensions to the gallant remnant of our revolutionary worthies who had not received the benefit of former laws—thus providing for a debt which, above all others, should have been promptly discharged, inasmuch as it had been already long delayed. There would be due to these men, according to the estimate of the secretary of war, sent to us early in the session, about four millions of dollars, including the arrearages. This was over and above the five and a half millions of unsatisfied appropriations before referred to. There has not been force enough in the pension office to pass upon these claims as promptly as it was supposed they would have been, and as he (Mr. I.) thought they ought to have been; and consequently but a moderate amount had been disbursed on their account prior to the first of January. What was not paid to these venerable men, but would have been, had there been force enough in the offices to examine and decide upon their claims, had been also turned over to swell the payments of the funded debt. He did not say there had been fault in this, but there was hardly a member of congress who has not his drawer at this moment filled with letters from these men, many of them decrepid, and bowed down by the frosts of eighty winters, complaining that they have not yet been able to receive what congress granted to them eight months ago, and beseeching their representatives to aid them in procuring the little pittance to comfort them in this inclement season. Many of them have stood at the pension office, "like shivering beggars at a bolted door," while we, in this gorgeous hall, are boasting of having paid off the debts of the revolution. If these claims had been paid within six months from the time congress had authorised them to be paid, it was evident that the secretary of the treasury could not have accomplished his payments of the public debt, even taking to his aid the five and a half millions of other unsatisfied appropriations, unless he had resorted to a temporary loan, or had relied on the bank to "delay the presentation" of the certificates, allowing interest for the accommodation. Mr. I. said he should not undertake to decide how far it was proper in a secretary of the treasury to take money which has been once appropriated, before the appropriation is satisfied, and apply it to a different object, even though that object be the payment of the public debt. It is a power which congress does not ordinarily exercise: we do not grant compensation for a horse lost in an Indian fight on the frontiers, without expressly providing that it is to be paid "out of any money in the treasury *not otherwise appropriated*." And can the head of a department do what congress cannot, or does not?

Mr. *Polk* wished to understand, whether the gentleman from Connecticut contended that the commissioners of the sinking fund, had no authority to order the redemption of more than ten millions of the public debt in one year. He had understood they were expressly authorised to go to any extent beyond that sum that the condition of the treasury could authorise.

Mr. *Ingersoll*—The standing appropriation to the sinking fund is ten millions annually, perhaps this should be satisfied in preference to other appropriations, but during the last year, about seventeen millions have been applied—and this excess over the ten millions cannot be applied by the commissioners, unless there is a surplus to that extent in the treasury. But, does the gentleman from Tennessee, call money already appropriated to one object, and for which the treasury is liable—a surplus? Is money due to revolutionary pensioners, a surplus, which may be taken to sink the funded debt? It was not so understood by that distinguished statesman so often alluded to, and never mentioned but with the most profound respect, the lamented Lowndes, who had for several years stood at the head of the committee of ways and means. He was for always retaining in hand at least two millions of dollars, not in the ragged trash of broken banks, but of sound money, over and above the sums appropriated for the service of the year. The policy of his masterly mind is delineated in an act which he penned and carried through congress in 1817, for the redemption of the public debt, an act which ought to stand as one of the most enduring monuments of his fame. You will see by it, what he meant by a surplus. The third section provides, "That in addition to the sum of ten millions of dollars, hereinbefore annually appropriated to the sinking fund, there shall be appropriated for the year 1817, the further sum of nine millions of dollars, to be paid out of any monies not otherwise appropriated, at such time within the year, as the secretary of the treasury shall deem most conducive to the public interest, to be applied by the commissioners of the sinking fund, to the purchase or redemption of the public debt." The surplus here transferred to the sinking fund for that year, is expressly limited to "*money not otherwise appropriated*."

The 4th section of the same act directs "That, after the year 1817, whenever there shall be at any time after the adjournment of congress in any year, a surplus of money in the treasury, above the sums appropriated for the service of such year, the payment of which to the commissioners of the sinking fund will yet leave in the treasury at the end of the year a balance equal to two millions of dollars, then such surplus shall be, and the same is hereby appropriated to the sinking fund, to be paid at such time as the situation of the treasury will best permit, and shall be applied by the commissioners thereof to the purchase or redemption of the public debt."

It is true that this 4th section of Mr. Lowndes' act, reserving two millions in the treasury beyond the appropiations for the service of the year, has been since, very unwisely, as he, (Mr. I.) believed, repealed by a law which originated in the senate in 1830. That law, the act of 1830, authorises the secretary, whenever the treasury shows a surplus of funds, "to cause such surplus to be placed at the disposal of the commissioners of the sinking fund, and the same shall be applied by them to the reimbursement or purchase of the principal of the public debt at such times as the state of the treasury will best admit."

You can, therefore, under this act, take the two millions which Mr. Lowndes' prudence would have reserved, if the secretary so wills it; but still you can take nothing that is not "surplus;" and what is meant by surplus has been already shown by the act of 1817 to be money in the treasury above the sums appropriated.

Mr. *Polk* wished to know whether there was not on the 1st of October three millions in the treasury, and on the 1st of January 700,000 dollars over and above all claims of every description upon the treasury, and unavailable funds.

Mr. *Ingersoll*—No—not of legitimate funds belonging to the United States. On the 1st of January the treasury was scraped to the bottom. There was on hand about 700,000 dollars of monies received from the Danish government for spoliations on our commerce, which belonged to American merchants, for whom it had been recovered: and within a few days afterwards, the greater part of that, as he had been informed, had been expended, leaving only a little over one hundred thousand dollars beyond the amount of warrants issued; and the whole of that would have vanished long before, if the pensioners of the revolution had been generally attended to, and their claims allowed, to say nothing of the five and a half millions of unsatisfied appropriations outstanding against the treasury at the close of the last year.

Mr. *Boon* now moved the orders of the day, which the house refused.

Mr. *Ingersoll* then said, after the great indulgence he had received, he felt that he could not better repay the kindness of the house just manifested by its vote, than by declining to take up more of its valuable time on this the last day of the session, though there were other topics on which, under other circumstances, he would be desirous of being heard. He preferred the house should act, rather than listen to him: he would therefore, before he sat down, move for the previous question, on the resolution, and as we have had a speech from each side, he hoped the motion would be sustained by common consent, that we may decide this question at once, and pass on the other business which must be attended to before the session closes. He accordingly moved the previous question, but withdrew his motion for the present, at the request of

Mr. *McDuffie*, who said he was aware that this was not the proper period to go into a discussion of this subject, and had it so pleased the honorable gentleman from Tennessee, (Mr. *Polk*) he should have been content that the house should have given a silent vote on the resolution presented to it. He differed from that honorable gentleman as to the propriety of adopting it. He believed that it was not only right, but that, under the circumstances of the case, it was the solemn duty of the house to express their opinion as to the proposition contained in the resolution. What! were they to be told that the disposition of the public revenue of the country was a question for a secretary of the treasury? That officer, had, indeed, a limited discretion, enabling him to take the public deposites out of any bank during the recess of congress, his act being subject to the judgment of the congress at its following session. It was congress, and not

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the secretary, that was to be the judge where the funds of the nation should be placed.

Who had brought this question before congress? Was it the bank? No. it was the president of the United States—it was the secretary of the treasury: and they had presented the subject in a form which made it the solemn duty of the house to pronounce its opinion on the grave and weighty matter submitted to it. But the gentleman from Tennessee had asked the house very gravely, whether they were prepared to pronounce judgment *against* the administration, and against all who voted with him on this subject? Ah! Was the administration then on its trial before that house and the country? so that if the house should declare that the national bank is a safe place of deposite for the funds of the government, it was to be viewed as a condemnation of the president and his secretary? Mr. McD. knew of no principle on which such a conclusion rested than this, that the greater the truth the greater the libel. When the house declared that the bank was a safe place of deposite for those funds, it spoke the truth. None dare to say that it was not the truth, the whole truth, and nothing but the truth. And had congress come to that pass, that they dare not tell the truth to the American people because the president and his secretary had expressed a different opinion, and that without the shadow of foundation? Mr. McD. had been utterly astonished that any department of this government should have expressed so extraordinary an opinion as that the national deposites were not safe in the bank of the United States. He solemnly declared that through every period of the investigation which had taken place he had but one opinion, which was, that in the whole civilized world there did not exist a bank more perfectly competent to meet all its engagements, and which better fulfilled all the ends for which it had been created. He would go further, and declare it his opinion that there was no such bank in the world, and no such currency in existence any where. No government had received such facilities from any bank whatever as the American government had constantly received, and was still receiving from the bank of the U. States. While the bank had funds in its possession to pay all its debts, meet its whole circulation, and all its other engagements of every kind, and had moreover 42 millions of dollars for its stockholders that government should tell the people that their deposites were not safe there—and that congress must not have the firmness and justice to declare to the contrary? It was most extraordinary! Were they to make every question a party question? Must every man be exactly in the vein of the president and his secretary? Was the house to be held as making an attack upon the president because it told the truth? a truth which the gentleman from Tennessee would not himself deny? Did the gentleman himself believe, on his conscience, that the government deposites were not safe in the bank? He did not. There was not a man in the United States capable of comprehending the subject, who could hold, or would avow such an opinion.

Mr. McD. said he would tell the house, in a few words, the reason why he wished this resolution to pass. He presumed that the president of the United States had made this communication to congress with a view of getting the opinion of congress on the question submitted to them. The question was now presented to the house in the shape of a resolution, and he should regard its adoption as perfectly conclusive in a practical point of view. Any administration which, after the expression by congress of the opinion advanced in this resolution, should withdraw the national deposites from the bank would deserve, as it would assuredly receive, the execration of the country. Mr. McD. hoped that no gentleman's opinion as to the constitutionality or unconstitutionality of the bank would prevent him from expressing his honest conviction as to the state of its affairs.

Mr. McD. would not speak what he thought about this proceeding. He would not say that it was persecution; but he would say that the opinion expressed by the president of the United States, and the secretary of the treasury, was, under all the circumstances, the most pernicious and the most unwarrantable ever put forth by public men. What, in fact, had saved the whole community from one universal wreck? Nothing but the fact that our commercial community possessed too much intelligence to believe what had been said about by the administration. In any other country such a declaration would have produced a panic which, however unfounded, must have brought the bank to ruin. Thanks be to God, and to our commercial community, the thing had been but a few days' wonder, and had passed away; and such a declaration, if put forth now from the same source, would have no more influence in the community than if it proceeded from the most insignificant individual in the country.

Mr. McD. said he was anxious till the period should arrive when the public deposites should no longer be subject to the control of the government. He was anxious to avoid this speculation of funds in market, and the local banks bidding for them. Then gentlemen would see a game worthy to be contemplated by a philosopher. A secretary of the treasury, with power to place the public funds wherever he pleased, could control the government and the people, principalities and powers —all, all would be at his beck, they could not resist him. But God forbid that these funds should be put in market as a means for political gamblers to make their way to power.

If the deposites were to be taken out of the bank of the United States, where were they to go? He presumed it required no miraculous inspiration to foretell that they were to go into the banks of New York. And if they did, how would the transaction stand before the eyes of posterity? To take the government deposites out of a bank possessing *more than half* of its whole circulation in specie, and place them in banks whose specie capital did not amount to *one-seventh* of their circulation!

He never could give his assent to this, nor would he countenance any measure which might be seized upon as giving a pretext to do so.' After a grave question had been made by the president as to the soundness of the bank, if congress should say nothing, that officer might conclude, as he had once done in reference to a certain Indian treaty which he had submitted for ratification. The senate not having acted upon it, he considered himself at liberty to carry it into execution. He might say, "I told congress that the United States bank was an unsafe place for the public money: they said nothing to the contrary: silence gives consent: and therefore transfer the deposites without further ceremony."

Mr. McD. observed that he wished to say a few words to which he was prompted by a sacred sense of duty: they had reference to the president of the bank, Mr. Nicholas Biddle. He knew that gentleman well; and he conscientiously believed that there did not live a more honest or a more honorable man on the face of the earth. No man in the United States possessed a more thorough knowledge of banking in all its operations. And never had an institution been managed with more perfect judgment or more consummate ability than this had been by him.

As to the issue made up between the secretary of the treasury and Mr. Biddle, Mr. McD. had nothing to do with it. But, on the mere question of finance he would say, that if the secretary had taken the advice of Mr. Biddle in reference to the French claims, he would have saved the treasury several thousands of dollars. The advice of the president of the bank had been asked by the secretary as to the best mode of drawing for the French indemnities. The advice had been promptly given, viz: that the secretary's wisest course would be to draw a bill at once, and the bank would purchase it: as, if he postponed it, the rate of exchange would probably be higher. The secretary had rejected the advice, and postponed drawing until the anticipated rise in exchange had taken place; and then had been much disappointed and displeased because he could not get the same terms from the bank as had been offered him before.

Mr. McD. said that he did not know for what purpose a discussion on the subject of the three per cents. had been brought forward. He would only say that the gentleman from Tennessee had seemed to dwell, with emphasis, upon an equivocal phrase in the report of the majority of the committee of ways and means, and had labored to shew that the committee had declared that the bank had "exceeded its powers." He would give to the house an explanation of the facts which had led to that expression. The agent of the bank had made a contract with the holders of government securities abroad which the bank had not authorised him to make. The directors had disavowed the contract. If a disavowal of a contract was to be construed into a transcending of the powers of the bank, the gentleman was welcome to make the most of it. The greater part of this stock, however, was now paid off—little more than a million remained. The gentleman had said that more than a million of dollars had been obtained on condition that the bank would become responsible instead of the government; and this the gentleman seemed to consider as a going in debt, on the part of the bank. But did not the gentleman know that the bank held, in the hands of the Barings, three millions to meet this? They had more money than was sufficient to pay it all, and all the three per cents. outstanding beside.

Mr. McD. concluded by asking what the house was prepared to do with the resolution which was before it? All it called upon the house to say was that the deposites were safe in the bank. If any man doubted this, let him say so.

The previous question was then called, and the resolution adopted by yeas and nays, as follows:

YEAS—Messrs. Adams, C. Allan, H. Allen, Appleton, Arnold, Ashley, Babcock, Banks, N. Barber, J. S. Barbour, Barnwell, Barringer, Barstow, I. C. Bates, Briggs, Bucher, Burd, Burges, Cahoon, Choate, Claiborne, E. Cooke, B. Cooke, Cooper, Corwin, Coulter, Craig, Crane, Crawford, Creighton, Daniel, Davenport, J. Davis, Dearborn, Denny, Dickson, Drayton, Draper, Duncan, Ellsworth, G. Evans, J. Evans, E. Everett, H. Everett, Ford, Gilmore, Grennell, Griffin, H. Hall, Hawes, Heister, Hodges, Howard, Hughes, Huntington, Ihrie, Ingersoll, Jarvis, Jenifer, R. M. Johnson, Kendall, H. King, Letcher, Lewis, Marshall, Maxwell, R. McCoy, McDuffie, McIntire, McKay, McKennan, Mercer, Milligan, Muhlenburg, Nelson, Newnan, Newton, Patton, Pearce, Pendleton, Pitcher, Potts, Randolph, J. Reed, Rencher, Root, Russel Semmes, Sewall, W. B. Shepard, Smith, Stephens, Stewart, Storrs, Sutherland, Taylor, P. Thomas, Tompkins, Tracy, Verplanck, Vinton, Washington, Watmough, Wilkin, E. Whittlesey, Frederick Whittlesey, E. D. White, Wickliffe, Williams, Young—109.

NAYS—Messrs. Anderson, Angel, Archer, James Bates, Beardsley, Bergen, Bethune, John Blair, Bouck, John Brodhead, Carr, Clay, Clayton, Connor, Dayan, Fitzgerald, Gaither, Gordon, T. H. Hall, Harper, Hawkins, Hoffman, Holland, Horn, Hubbard, A. King, Lecompte, Lyon, Mann, Mardis, Mason, McCarty, Mitchell, Pierson, Polk, E. C. Reed, Soule, Speight, Standifer, Frs. Thomas, W. Thompson, Wardwell, Wayne, Weeks, C. P. White, Worthington—46.

So the resolution was agreed to.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 8—VOL. VIII. BALTIMORE, APRIL 20, 1833. [VOL. XLIV. WHOLE No. 1,126.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞We have thought it best to defer the insertion of the report of the minority of the committee on manufactures of the house of representatives (Messrs. *Adams* and *Condict*), until we can conveniently give it *entire*, by the aid of some extra pages—which cannot be done until we shall have completed the supplement to the last volume and sent out its title page and table of contents. We are hurrying these as fast as possible; but such a mass of solid matter is not easily prepared for the press.

☞The present sheet has a greater variety of articles than usual—some of them are as follows: the official report concerning the conflagration of the *treasury building*—a circular from the postmaster general on abuses of the *franking privilege*—a long account of a grand military celebration at *Charleston*, S. C. with the speeches of gov. *Hayne* and gen. *Hamilton*—the speech of Mr. *Tyler*, at a public dinner given to him in Gloucester county, Virginia—the *emperor of China's* prayer for rain—a letter from Mr. *Calhoun*, on being invited to a public dinner at Edgefield—law case concerning *naturalization* happening in South Carolina—message of the governor of Massachusetts concerning a certain act of incorporation—present state of Mexico, (official)—Foreign news, with the proclamation of king Otho, of Greece—French "free trade," &c. &c.

☞ It will be seen by referring to Mr. *Calhoun's* letter, and the speeches of gov. *Hayne* and general *Hamilton*, that an exercise of the "right of nullification" by the state of South Carolina, having caused the recent adjustment of the tariff—is hereafter to be held as the "rightful remedy," in either of the twenty-four states, for the redress of any real or imaginary evil arising out of the laws of the United States, or the decisions of the supreme court, &c.—for each state being "sovereign" cannot be mistaken in its judgment on constitutional questions, nor restrained from carrying out its ordinances! It is true—the "force bill," or "bloody bill," stands forth in protest against this sweeping doctrine; but its feebleness was established in a repeal of the tariff act of 1832 *previous* to a repeal of the ordinance of South Carolina; and, though nullification has not been formally acknowledged in congress as the "rightful remedy," it certainly has been respected as an *efficient* one; and, if its practice is sustainable, the union is now dissolved—it has no more principle of adhesion in it than may be found in a shovel-full of sand. As heretofore observed—no consideration has yet presented itself to our mind, which, whether in reference to the principle, or the expediency of the measure, would have induced us to accept the late arrangement of the tariff.

EXTREME NONSENSE. By the 4th clause of the 8th section of the constitution of the United States, congress has power "*to establish a uniform rule of naturalization*;" and yet into such absurdity has "nullification" led some in South Carolina, that judge *Bay*, at Charleston, found power in the state authorities to *amend* the acts of congress on this subject! What next? But the court of appeals of the state of South Carolina has unanimously put down this folly of judge Bay. See the decisions in a subsequent page. There is such a thing as a citizen of the United States!!!

THE CHOLERA. Accounts from Havana to the evening of the 4th instant give us the pleasing intelligence, that the cholera had almost entirely subsided, and business was resuming its usual course. At Havana, as well as at New Orleans, it appears that when this fearful disease seemed about to sweep away the whole population, as it were, its desolating career was suddenly arrested. At Montreal, New York, &c. it subsided more gradually.

We have the daily returns of interments in the principal burying ground at Havana from the 28th of February, to the 25th of March, inclusive. The aggregate is 3,983—to wit: 876 white and 3,107 colored persons. The interments were 37 on the 28th February, and 333 on the 22d and 261 on the 24th March. There are five burial grounds where no accounts are kept. From 2 to 3,000 are supposed to have been interred in them. The whole number of deaths in the space of one month is estimated at from 9,000 to 10,000! The population of Havana is said to be 150 or 160,000; but so great was the panic that about one-half the inhabitants were thought to have fled from the city.

Among those who died of this disease were William Shaler, esq. commercial agent of the United States, at Havana—aged 55; and the archbishop of St. Domingo, Dr. D. Pedro Valera Y. Ximenes, acting bishop of Havana—aged 74.

A letter received by the editors of the New York Daily Advertiser, dated Matamoras, Mexico, March 4, says—"The cholera has reached this country and prevails at many scattered places. *At Rancho, out of a population of 475, only 25 remained alive.*"

The cholera still prevailed at St. Martinsville and Franklin, in Louisiana. At the former it is said to have assumed a character of extraordinary malignity, carrying off many respectable citizens, and a large number of slaves. It was more mild at Franklin.

Later advices say—that the deaths by cholera, at Havana, officially reported, amounted to *fourteen thousand six hundred and fifty-four*.

The deaths at Matanzas are reported at from 200 to 250 a day!

A VERY DESIRABLE MACHINE. A machine was exhibited to us, two or three weeks ago, for knitting stockings, &c. exceedingly well calculated, we think, for family use, and very desirable, as affording employment, *at home*, to females dependent upon it for subsistence and the support of their families, for its cost, including the patent right, will not exceed fifteen dollars; it is only about one foot square, and of the weight of ten pounds; so that it is easily transferable from place to place, as may be required—and no more power is needed for the crank than to move that of a common hand organ—and, except when a stitch is dropped, or one required to be added, a very small degree of attention or care is demanded. A girl 12 or 15 years old might give motion to, and attend three or more machines, if arranged for the purpose of being worked together, as they might easily be. Each machine will make from one to two pair of long men's stockings in a day, of woollen yarn—such as is usually worn in the winter season. The machine does not appear liable to get out of order, and but little instruction is necessary.

The machine that we saw in operation was fitted for knitting woollen stockings such as are above mentioned—but machines may be made for fine work in cotton, thread or silk.

We are glad to learn that a skilful machinist, resident near Baltimore, has obtained the right of making a certain number of these knitting machines; and it may be expected that its quality and capacity will soon be fully tested. It is the invention of John McMullen and Joseph Hollen, jr. of Birmingham, Huntingdon county, Pennsylvania. The stitches are made just as if common knitting needles were used—except that the stocking requires to be afterwards joined at the seam.

BITUMINOUS COAL. It is estimated that there are 20,000 acres of land near Blossburg, Pa. capable of yielding 50,000,000 tons of bituminous coal, and iron ore is also said to be abundant. It is proposed to make a rail road to the Chemung canal, and from thence, by the Erie canal and the Hudson, to send this coal and iron to market at the city of New York, a distance of 450 miles. But a direct line from the city to these mines, is said to be only 225 miles.

Immense quantities of first quality bituminous coal is found near Clarksburg, Virginia. It is so easily obtained, that it sells for little more than two cents per bushel, delivered in that town.

BRITISH FASHIONS. The queen of England's drawing room—ladies dresses.

*Her majesty*—Dress of white satin, the skirt richly ornamented with bouquets of diamonds and variegated geraniums; train of white velvet lined with white satin, elegantly trimmed *Buckinghamshire* blond and geraniums to correspond with the dress: the body and sleeves splendidly ornamend with diamonds and blond: Head dress a diadem of diamonds and feathers; necklace and earrings en suite. THE WHOLE OF BRITISH MANUFACTURE.

Her royal highness the Duchess of *Kent*.—An elegant British blond dress over rich white satin, the body and sleeves richly trimmed with diamonds and blond; train of pink velvet lined with white satin, and trimmed with ermine. Head-dress, feathers and diamonds. THE WHOLE OF BRITISH MANUFACTURE.

Her royal highness the princess *Victoria*.—A handsome BRITISH blond dress over white satin: Ornament, pearls and diamonds.

☞Neither the queen, nor the mother of the heir apparent of the British throne, will "go twenty rods out of the way to kick a sheep," as *John Randolph* said that he would—as the dress of both are wholly of British manufacture. They are high tariffites!



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TRIBUTES TO VALOR. The legislature of Maryland has voted "suitable swords" to col. Nathan Towson, of the U. S. army, and capt. John Gallagher, of the navy;—and the general assembly of Virginia has, in like manner, voted swords to Robert B. Randolph, Hugh Nelson Page and Alexander K. Eskridge, of the U. S. navy, for gallant services performed in the last war; and also to the oldest son of lieut. col. Armistead, for his father's defence of Fort McHenry.

THE ARMY. The troops which had been collected at Charleston, have chiefly returned, or are about to return, to their former stations.

THE NAVY. The frigates United States, Brandywine and Constellation, and the corvette John Adams, were at Mahon on the 10th January last all well.

A FRESH NOMINATION. On Saturday last we received a letter from a gentleman of the south, who has been a subscriber to the REGISTER from the beginning—nearly twenty-two years ago, which says—

"The small noisy squad of nullifiers here contend—that, but for South Carolina nullification, Mr. *Clay's* bill would never have passed congress; and, *as it has produced a reduction of the tariff*, it is the TRUE AND RIGHTFUL REMEDY; and therefore, nullification is now settled as a CONSTITUTIONAL right; and also, that *John C. Calhoun* is the greatest man in the world, always excepting BENJAMIN WATKINS LEIGH."

And, on last Monday, we received the *Petersburg (Va.) Intelligencer*, which contained the following paragraph:

THE NEXT PRESIDENCY.

We understand that at the Chesterfield election on Monday last, the opposing candidates *William R. Johnson* and *Samuel Taylor*, esqrs. united in expressing a decided preference for BENJAMIN WATKINS LEIGH, esq. as the next president of the United States. How this nomination will be relished at *head quarters*, we know not; but by this early movement, the *people* would appear determined to take the matter in their own hands and to act for themselves. Let our fellow citizens once cast off their leading strings—adopt the habit of thinking and deciding for themselves; and there will be no necessity for future legislative caucuses in Richmond.

EDITORIAL WARS. Mr. Leggett, of the New York Evening Post, and Mr. Webb, of the New York Courier and Enquirer, after a long and rude paper war, had an affair of scratching, biting, spitting, and pounding, in Wall street, on the 9th inst. in which both claim the victory! Mr. Leggett seems to have been the assailant. He had previously challenged Mr. Webb, who declined to fight him, because that he could not regard Mr. L. as a "gentleman," but offered satisfaction to Mr. L's "friend," if *he* felt disposed to carry out the quarrel. The latter declined, saying that he left Mr. Leggett to "satisfy him (Mr. W.) of his gentility in his own way." Hence the battle. Neither party suffered much personal injury.

About twenty duels have been fought between editors of Paris papers because of the duchess of Berri, and some of them terminated fatally; but peace has been restored—as all the parties now agree that this woman is "no better than she should be."

OFFICIAL NOTICES, &c. The right honorable sir *Charles Richard Vaughan*, his Britannic majesty's envoy extraordinary and minister plenipotentiary, having just returned from a visit to England, and resumed the exercise of his functions, was, on Monday, the 8th inst. presented anew to the president, in his official character, by the secretary of state.

On Saturday, the 6th inst. Don *Jose Maria Montoya*, late charge d'affaires of the United Mexican States, near this government, who has been called to other duties in the service of his country, delivered his letters of recall, and took leave of the president and secretary of state; and on Thursday the 11th inst. Don *Augustine Yturbide* delivered to the secretary of state his credentials as the successor of Don J. M. Montoya, and was received by this government, as the charge d'affaires of the United Mexican States.

*Appointments by the president.*

Arthur Middleton, jr. of South Carolina, to be secretary of the legation of the United States at Madrid, in the place of Charles S. Walsh, removed.

T. A. Howard, of Indiana, to be attorney of the U. States for the district of Indiana, in the place of Samuel Judah, removed.

Joseph S. Cabot, of Massachusetts, to be a commissioner under the law to carry into effect the convention with the Two Sicilies, in the place of Peter V. Daniel, resigned.

Charles S. Russel, of Massachusetts, to be consul of the United States at Valparaiso, in the place of Michael Hogan, deceased.

The vice president, Mr. *Van Buren*, it seems, will make a permanent residence at Washington. He has taken one of the "Seven Buildings."

The collector of the port of New Orleans has received an anonymous note, enclosing $500 in a note of the bank of the United States, which sum, it is requested, may be placed to the credit of the government, for duties on goods, wares, and merchandise, heretofore accruing, and not accounted for.

MURDERS AND SUICIDES seem about to become common! Within the last three or four months, we have seen accounts of several murders of young women, because they had given themselves up to their "lovers," and of one or two because that they would not!—and there has been an unusually large number of suicides. Some of the cases of murder related are horrible.

INDIANS WEST OF THE MISSISSIPPI. For the want of correct information, certain lands had been assigned both to the Creeks and the Cherokees who had emigrated to the west of the great river. The commissioners now in that part of the country have prevailed on both parties to yield a portion of their just rights, and, by a treaty made between them, adjusted a very embarrassing affair.

"THE —— YANKEES" have invented very important machines for the better cleaning of sea-island cotton, which it is supposed will add much to the value of this staple. Cotton gins, as well as "Palmetto buttons," must be obtained from the east!

STEPHEN GIRARD'S ESTATE. The treasurer of the *Girard trusts* had made his report to the city councils of Philadelphia. He says:

"You will find annexed to the account a schedule of the personal property that has been passed to me for the city corporation, by the executors, in the present quarter, the par value of which is $2,086,177—and the valuation by the executors of the same, $2,403,235 67, and there is a large amount of personal property yet to be received."

MASSACHUSETTS. Had all the returns from the district been properly made, Mr. Dearborn would only have wanted four votes for a re-election to congress; but for want of these another election must have been held. The majority system is a very troublesome one—in triangular or quadrangular contests.

PENNSYLVANIA. The legislature of this state adjourned on the 9th inst. On the evening previous to the adjournment, governor Wolf *vetoed* the bill granting compensation to George Fisher, A. McAllister and others, for damages done by the construction of the Pennsylvania canal.* On the receipt of the veto message, a warm debate took place in the house of representatives; but the veto of the governor was finally sustained—yeas 32—nays 29. A few hours before the adjournment governor Wolf also *vetoed* the bill for incorporating the People's bank of York county. This bill had passed the house of representatives by a majority of 12 votes, and the senate by a vote of 22 to 8. Notwithstanding this show of strength in favor of the bill, the *veto* of the executive was sustained by a vote of 37 to 21.

During the session just closed governor Wolf exercised his constitutional power of vetoing bills in four different instances, and was in each case sustained by the subsequent vote of the house of representatives. By the constitution of that state, a vote of two-thirds of the two houses would secure the passage of a bill in opposition to the executive veto. But so far from approaching these two thirds, the veto was in every instance sustained by a majority of votes.

Only one bank, we believe, has been incorporated at the late session of the legislature of Pennsylvania. *Twenty three* acts were asked for—with an aggregate capital of $6,955,000.

NORTH CAROLINA. The commissioners appointed for the purpose, have determined upon the size and the plan of the new capitol to be erected at Raleigh, in the place of that which was destroyed by fire; the general plan of which, it was ordered should be preserved, with such extension, &c. as should be deemed necessary. It is decided that the new building shall be three stories high, 160 feet long, 64 feet wide, with east and west wings. 40 feet front, projecting 20 feet. The basement story will accommodate the public officers; the second story the legislature and its clerks, and the supreme court, and furnish a capacious room for the state library: and the third will contain rooms for the engrossing clerks, &c.

CANADA. The Quebec Gazette contains a statement of the valuation of imports and exports during the past year, from which we select the following: *Imported*—Wines 411,201 gallons, valued $348,236; brandy and rum 1,334,801 do. valued $947,868; sugars 7,607,044 lbs. valued $488,860; coffee 174,899 lbs. valued $34,980; molasses 123,024 gals. valued $61,512; tea, 981,128 lbs. valued $494,680; salt, 260,227 bush. valued $52,044; tobacco, including segars, 271,857 lbs. valued $98,428. *Exported*—Lumber, valued, $1,170,852; staves, $274,940; deals, &c. $513,754; ashes, $3,015,016; wheat, 657,204 bushels, valued $764,618; flour, 51,057 bushels, valued $308,340.

THE FALKLAND ISLANDS. The British have taken formal possession of the Falkland Islands, expelled the Buenos Ayrean authorities, and hoisted the British flag—against all which the "Argentine Republic" has formally protested. By an arrival from these islands, we learn that a large schooner under the

*The Harrisburg Intelligencer says—the question as to the claims of Mr. Fisher and others, is not on the merits of the case; but whether damages can be obtained until the canal is completed, and the advantages as well as disadvantages taken into consideration.

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Buenos Ayrean flag, carrying 10 guns and 36 men, was cruising on the west coast of Patagonia in December and January last, taking seals and boarding vessels on the coast, avowedly with the intention of making prize of all skins which had been taken at the Falkland Islands or in that vicinity.

SLAVERY. The intended plan of the British ministry in relation to negro slavery, is said to be, 1st. The immediate abolition of slavery in the colonies. 2nd. The compensation to the slave owner, at a fixed rate per head, for every slave. 3d. The raising of a loan for such compensation, to be paid off in thirty years. 4th. The manumitted slave to be compelled by the magistrates to work five days out of the seven, except when in crop, when they would work for six days. 5th. Two days amount of wages to be paid into the compensation fund, it being considered the remaining three or four days, as the case may be, as to in crop or not, would be sufficient for the support of the slave.

It is stated that 179,000 slaves were imported into the West Indies in the years 1828 and 1829—chiefly through the island of St. Thomas, if not to Cuba, direct.

CAPT. BACK'S EXPEDITION IN SEARCH OF CAPT. ROSS. We have already mentioned the arrival of capt. Back, at New York, on his way to the northern regions, in search of capt. Ross and his associates, who left England in 1829, in the steam vessel Victory, in the expectation of completing the discovery of the north west passage to the Pacific—the last accounts from whom was in the summer of 1830, then standing across Baffin's Bay. A hope is entertained that capt. Ross, or some of his company, may yet be living—and for the purpose of rescuing him or them, and also to add to the information already obtained as to the real state of things in the wide and vast "world" of land and water which lies in the northern part of America, this expedition has been fitted out in England—£3,000 having been subscribed by individuals, and £2,000 contributed by the government. Capt. Back is well provided for his hardy and dangerous undertaking; and, having with him three persons who were attached to capt. Franklin's expedition, there is some prospect, that, if the primary object of his enterprise shall fail, the second may be accomplished. At Great Slave lake he is to be joined by a party of the Hudson Bay people. This company has commissioned him, with a full command through all their territories, and over all their agents or servants, the governor alone excepted.

NULLIFICATION. In some parts of South Carolina the ladies have formed themselves into companies of *invincibles*, with a uniform of *frock coats and pantaloons;* an eastern editor says that the union men can never be induced to march against them. *Quere*—if these ladies are really out of the bonds of union, might they not be made to surrender at discretion to the *arms* of an equal number of bachelor soldiers. *Volunteers* enough could be furnished from the west, fully equipped and capable of enduring all the fatigues of a southern campaign.

[*Western Shield.*

AN INDICTMENT. Mr. Forsyth, one of the senators from Georgia, has been presented by a grand jury of one of the counties in that state, in the following terms:

"The grand jurors, sworn, chosen, and selected, protest most solemnly against the vote of our senator, John Forsyth, on the 'force bill,' and his conduct and objections to the introduction of Clay's bill. We canot find language strong enough to express our disapprobation of such apostate conduct; for this measure seemed to be the only one calculated to allay the distracted condition of the country. We view also with deep abhorrence, the ultra-federal doctrines lately advocated by the said senator in the United States senate, and regard them as utterly subversive of the sovereignty of the states, and tending directly to a consolidated government with unlimited powers, without any check or control whatsoever; and we respond most heartily to a resolution of the republican citizens of Bedford county, Virginia, where they say, 'resolved, that the conduct of John Forsyth, in opposing leave to introduce said bill, (Mr. Clay's), was unworthy an American senator, and deserves the reprobation of every friend of the union.' We respectfully ask John Forsyth to resign his seat in the senate, that Georgia may send those there who will not misrepresent her political views and desires, but will maintain her sovereignty and dignity."

The foreman and twelve others of the jurors concurred in the preceding; but nine dissented, and asserted their rights in a counter-statement, as follows:

"It is with feelings of deep regret, that we, the undersigned, members of the grand jury, after having used our utmost influence to suppress the introduction of politics in our presentments, have to protest against the sentiments of a part of our body, which goes to reprobate and abuse our senator in congress, John Forsyth, whose greatest crime, perhaps, has been his opposition to nullification and zeal for the promotion of our present happy union, and firm support of the administration," &c.

And it was ordered, on the motion of Mr. Poe, solicitor-general, that said presentments be published!

CASE OF SLANDER. Joseph W. Parkins, ex-sheriff of London, has had a verdict of $6,500 damages and costs awarded against him, at New York, because of gross and indelicate epithets which he applied to a widow lady, with whom he boarded, struggling to support her little family, and who sustained an excellent character. Mr. P. did not pretend to justify the words imputed to him; but insisted that he had not used them, and offered no testimony in his defence.

APPEALS TO THE PEOPLE! "In an elective government like ours, when the executive and legislative branches differ in their opinions as to the expediency or the principle of a law, the veto of the former is in effect a direct appeal to the people on his part. As the only sovereignty in the country, they, and they only, are to decide, at the polls, which of the two branches has acted in conformity with their wishes. The elections determine this, and from their decision there is no escape."

[*Globe.*

On which the Baltimore "Chronicle" of the 17th inst. says—

Thus speaks the Globe, the official paper of government; and we place the remarks on record that there may be no denial or equivocation on the subject at a future day. The president has made his "appeal to the people" against the United States' bank, and "from their decision there is no escape," says the Globe. If the language of the official paper is to be understood as that of the president, then we have general Jackson's solemn pledge that, should the ensuing congress pass the bank bill, he will receive the act as that of the people and sanction it. This is holding out encouragement to the friends of that institution, at war with the former acts of the president, and in direct contradiction of the uniform language of his official editor—and it induces the hope, that the interests of the people are henceforward to have a preference with the executive, over those of mere party.

We may be mistaken, but we never doubted that the bank would be sustained by the people, and of course by their representatives. Its great utility has been too long experienced by the commercial community and the public at large, to admit the supposition, that the simple veto of the president can render the institution unpopular, or induce the withdrawal from it of public confidence.

THE POLES. *Russian legation, Washington, April 15, 1833.* Notice is hereby given to all subjects of the kingdom of Poland now residing in the United States, who have taken no part in the Polish rebellion, and who intend to return to Poland, or wish to prolong their stay in this country, that they are required to express such intention, and obtain permission to that effect, by addressing their request, in writing, to the imperial Russian legation in Washington, D. C. or the consul general in New York, within three months from the present date.

It is understood that this notice does not apply to those subjects of Poland, who, since the restoration of legal order in the kingdom, have received permission to go or to continue to reside abroad, and who are furnished with the proper passports for that purpose.

EXCHANGE—*at Havana, March 24.* "London, 1 per cent. discount. U. S. 10 per cent. discount. Bills abundant, no takers—even Mexican dollars are 1 per cent. discount against doubloons at the fictitious value of $17."

## BRIEF NOTICES.

The inhabitants of the Cape de Verds, notwithstanding the relief which has been afforded, are still in a deplorable condition—and another cargo of provisions is about being sent from Philadelphia. Late accounts mention horrible cases of deaths from starvation.

James Page, esq. is to take the place of T. Sergeant, esq. postmaster at Philadelphia, on the 1st of May.

The Delaware and Hudson canal company have advertised that they will deliver Lackawanna coal from their barges, at the door of the consumer in New York, at six dollars per ton, free of cartage; and they announce their intention to bring to that city a supply sufficient for all its inhabitants.

Judge Holmes, who recently died at Haddam, in Connecticut, was a member of the legislature of that state for *sixty sessions*. The example is so rare in the United States, that it merits particular record.

The duchess of Berri, soon expected to become a mother, is in the 46th year of her age.

On Tuesday last an accident occurred on the New Castle and French town rail road, which, though it caused no manner of injury to any of the passengers, might have been attended with most fatal consequences. As the locomotive, with its train of cars, heavily laden with passengers, was proceeding at full speed, a cow suddenly placed herself on the track in front of the engine. She was instantly killed—two cars passed over her, but the third was thrown off the rails, and happily against a bank—the rest were separated, the coupling tackle instantly giving way. If cows, &c. cannot be kept off the road, we should think that fixtures might easily be made to shove them out of the way, dead or alive. [We understand that such fixtures have been promptly made.]

The greater part of the late flourishing town of *Cumberland*, Maryland, was chiefly destroyed by fire in the night of the 14th instant. It broke out at 10 o'clock, P. M. and was not

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checked in its ravages until about seventy-five houses, the very heart of the town, were destroyed; and so rapid were the flames that many saved only the clothes which they had upon their backs. The three hotels, and the two printing offices, as well as the banking house, were burnt,—with every store in the town, one excepted. Most of the houses were brick, or 2 story log-buildings.

At a meeting of the citizens of Cumberland held at the court house, a committee was appointed for the purpose of inquiring into the extent of the calamity, &c. The committee said—

"It is ascertained that the entire business portion of Cumberland has been destroyed. All the taverns, all the stores in the place, but one, are now in ashes, about thirty flourishing mechanics all in prosperous business, have been reduced to ruin, and their families left without a shelter to cover them. The three physicians of the town have lost nearly all their property and medicines. It is believed that two-thirds of the inhabitants are houseless.

The value of property destroyed and the description of citizens to whom it belonged, the committee have estimated and classed as follows:

| | |
|---|---|
| 7 Merchants, whose loss in real and personal property and goods, is estimated at | 94,000 |
| 3 Physicians | 12,000 |
| 3 Hotels, including the losses of the owners | 50,000 |
| 30 Mechanics, (real and personal property, stock, &c.) | 71,000 |
| Citizens not included in the above description, | 31,000 |
| Citizens not residing in the town, | 14,000 |
| Total loss | $262,000 |

The whole amount of real estate within the city of Philadelphia has been valued, for purposes of taxation, at $25,818,144. The estimate of the expences of the city for the current year is $407,000.

A late Philadelphia paper says—Mr. Audubon returned to this city yesterday. From him we learn, and it affords us pleasure to state the fact, that within the last six months more than fifty subscribers have been added to his list, for his great American work on Orinthology. These at $800 each make the sum of $40,000.

## FOREIGN NEWS.

*From London papers to the 16th March inclusive.*

### GREAT BRITAIN AND IRELAND.

The speeches of Mr. Stanley, and others, shew a horrid state of things in Ireland—and many brutal murders have just happened—"as if," says the Times, "to take away all pretence for further opposition to the bill, and from the government all excuse for failing to push it vigorously through the remaining stages of legislation."

There is no doubt that many persons engaged in the assassinations and arsons and robberies which take place, are *forced* to lend their assistance, for the preservation of their own lives, and the safety of their families. The chiefs in wickedness recruit men and push them forward, under the penalty of death for disobedience; and the poor creatures have no one to whom they dare apply for protection; for, in many places, the law cannot afford it. They are thus committed, and the doing of one crime leads on to another without end, except in the jail or at the gallows. In the county of Kilkenny, of 928 crimes committed in the space of seven months, 920 were "connected with White-footism;" and in other counties the state of society was nearly as bad. "Runs" upon the bank for gold had been made—but the supply was sufficient; and the merchants and dealers retaliated by refusing to make purchases for exportation, so long as a "run" existed, and much inconvenience had been suffered by the owners of grain, &c.

Sergeant O'Loghlin made his first appearance as a judge in the Queen's county a short time since, in consequence of the indisposition of chief baron Joy. This is the first instance that has ever occurred since 1690, of a professed Roman Catholic judge sitting on the bench in Ireland.

The Irish church reform bill was brought into the house of commons on the 13th, by lord Althorp, and read a first time by a vote of 186 to 46.

The debate on the Irish suppression bill was not ended in the house of commons—though several of its sections had been discussed and settled. The ministers agreed to certain amendments, requiring much unanimity in the courts martial provided in the bill, &c.

### FRANCE.

Nothing important is mentioned as having recently happened. The papers are filled with speculations relative to the duchess of Berri, and her *situation*.

### HOLLAND AND BELGIUM.

We have the usual supply of reports and suggestions as to the state of affairs between these kingdoms. The queen of France, with the princess Maria and the duke of Orleans, had attended the theatre at Brussels, with the king and queen of Belgium. The royal party was received "with deafening shouts of applause, by an immense audience." "Not a spare place could be found in the theatre at 3 o'clock in the afternoon." Mad. Malibran was to have sung in a concert at the palace—but the price which she demanded was so extravagant, that the marshal dispensed with her services.

### GREECE.

King Otho arrived at Napoli di Romania on the 6th February, and on the following day issued the following proclamation:

*Proclamation of Otho I. to the Greek.*

Called among you by the confidence of the high mediating powers, to whose protection you are indebted for the glorious termination of a long and destructive war, called, also, by your free suffrages, I ascend the throne of Greece to fulfil the engagements I contracted, on accepting the crown when it was offered to me. You have, after a bloody struggle, and with the sacrifice of your dearest interests, acquired a political existence and independence, the fundamental basis of the happiness and prosperity of nations. You have shown yourselves, by your courage, the worthy descendants of your ancestors, whose glory has outlived centuries without losing its lustre, but till now you have been prevented reaping the fruit of your noble efforts. Your fields are uncultivated, your industry scarcely nascent, your commerce, formerly so flourishing, entirely paralysed. It was in vain that the arts and sciences expected to find again their former country at the moment when peace was concluded. Despotism, which prevailed among you, was followed by anarchy, which inflicts upon you its horrid scourge. What the love of your country by a noble effort has acquired for you, has been taken from you by discord and the most sordid egotism.

To put an end to your calamities, to a civil war, which wastes your brightest faculties to no purpose; to direct your efforts henceforward to one aim, namely, that of the prosperity, happiness, and glory of your country, which has become mine also; to efface, by degrees, under the influence of peace and order, numerous vestiges of calamities which have afflicted your fine country, endowed by nature with so much profusion; to take into consideration sacrifices made, and services rendered to the country, to protect by the ægis of the laws your persons and property against arbitrary rule and licentiousness; to procure for you, by means of institutions well matured, solid, and adapted to the state and wishes of the nation, the blessings of true liberty, which can subsist only under the empire of the laws; to accomplish the regeneration of Greece, such is the pleasing but glorious task I have imposed upon myself. I sacrifice to her a delightful and happy existence in the bosom of the beloved country of my ancestors, and impressed with the same sentiments which animated my august father when first among the sovereigns he stretched forth to you his succoring hand during your heroic struggle for your liberty, it is with confidence I address you, and call upon you to combine with fraternal concord your efforts with mine, to the sole end of promoting the public good. Let us not suffer the success obtained by your courage, your perseverance, your patriotism and your trust in divine Providence, to be sacrificed by the convulsions of discord and anarchy.

Let not your name, to which so many noble deeds have insured immortality, be stained by the errors of base passions, whatever may be the efforts which that great task may require of us. Our success will be an ample reward for ascending the throne of Greece. I promise you to protect conscientiously your religion—to maintain the laws with fidelity—to administer impartial justice to all—and to preserve in fact, by the assistance of God, your independence, your liberties, and your rights. My first cares have been directed to the re-establishment and consolidation of tranquillity and order, that every one may enjoy in peace, and without fear, entire security, forgetting the political errors of the past. I expect with full confidence that every one will henceforth submit to the laws, and to those who are charged to execute them. Let every one return to his home; I shall thereby be delivered from the painful necessity of pursuing, with all the rigor of the laws, the disturbers of the public peace and rebels. May divine Providence bless our united efforts, and give new lustre to this noble country, the soil of which covers the ashes of the greatest men recorded in history; and the inhabitants of which have recently proved to their cotemporaries, that the heroism and noble sentiments of their immortal ancestors are not extinguished in their hearts.

It is stated in an article from Smyrna, that Greeks residing at Constantinople, and in Russia, had, for several months past, made large purchases of land in Greece; but the speculation has ceased, in consequence of the Greek peasantry, who were formerly attached to the glebe as vassals on the estates thus sold, being resolved to claim the rights of free citizens, and to refuse to perform any service as vassals.

A French paper says—"It appears that Colocotroni was still at open war with the government, and it was publicly affirmed and believed at Napoli that he was supported by Russian aid. It is not, however, probable that the Russians would encourage a war against the authority of the very man for whom their influence has so materially contributed in procuring the throne of Greece. There were several English, French and Russian ships of war in the port of Napoli when king Otho arrived, with the three admirals of the same powers commanding the station in the Archipelago. They had, it seems, made it a point to be present at the landing of the king whom the governments had sent to Greece."

### TURKEY AND EGYPT.

It seems now certain that the Russian emperor had lent his fleet in the Black sea to prevent an attack upon Constantinople by the Egyptians, and had also prepared an army for the same purpose—no doubt intending to reserve this "slice of Turkey" for his own use, when convenient to take it: but it appears that the mission of the Russian general Muravief, to Alexandria, has been successful—and that Mehemed Ali had sent orders to

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his son Ibrahim to suspend hostile operations, for the present. It was expected that a convention would soon put an end to the disputes between the sultan and the pacha, rendering the the latter independent in name, as he has long been in fact.

PORTUGAL.

Don Pedro's troops in Oporto were suffering for the want of provisions, and Don Miguel's army by sickness. Neither seems able to act efficiently against the other. It looks most probable, however, that Don Pedro will be compelled to return, unless aided by England or France.

LATEST NEWS.

*From London papers of the 23d March.*

The Irish enforcing bill was proceeding steadily through the house of commons, and would pass. The 23rd of April had been assigned for introducing the ministerial plan for the abolition of slavery in the West Indies.

The Miguelites suffered severely in an attack which they made on Oporto, on the 4th March. It is said that 600 of them were killed. Pedro's loss was comparatively small.

It is reported that an agreement has been made between Turkey and Egypt, through the mediation of France and England, by which the porte cedes to the Egyptians the whole coast of Syria from Tripoli to the borders of Egypt, including Jerusalem, &c. and a tract in the interior. All the rest of the conquests of Ibrahim to be given up.

Several of the Greek chiefs have summoned their adherents to lay down their arms, and take the oath of allegiance to king Otho.

Discontents are said to exist in several parts of Italy—and that at Bologna the people and the troops had come to blows.

## FRENCH "FREE TRADE."

M. Thyers, the trade minister in France, has delivered the following important observations to the chamber of agriculture, commerce and manufactures. After a few remarks upon the importance of protecting the trade of France, he proceeds as follows:

"It is with this view, gentlemen, that the government has called you together. You will represent the three greatest interests of the state: agriculture, which extracts from the earth the raw material and means of sustentation; manufacture, which transforms the products of the soil, and imparts to them all the perfection which they are capable of receiving from the hand of man; commerce, which exchanges the products, and disperses them throughout the globe. These three grand divisions of human labor are all equally noble, useful, and worthy of solicitude and protection. Unhappily they appear sometimes to have opposite interests; occasionally, manufacturing industry, which needs protection, seems contrary in its views to commerce, which has need of liberty. It is in reconciling them that the whole art of government consists. Placed between the manufacturing artisan of Lyons, who demands a vent for his products, and the skilful artisan of Lille, who seeks a protection for his; between the agriculturist of Bordeaux, who wishes the seas of the north to be open to his wines, and the proprietor of the Bois de Champagne, who invokes a protection for his iron, the government entertains a predilection for neither; it cherishes an equal affection for all; it seeks in what manner the general prosperity, which is the sole object of its vigilance,—the sole duty of its institution,—can be deduced from the balance of these conflicting interests. It is for you, gentlemen, to aid and enlighten it in the endeavor to accomplish this task which is perhaps more difficult now than it has been at any former period.

"The world has now entered into a new career. All nations wish to approximate, to enjoy a mutual understanding with each other, and to interchange their wealth. Efforts are making to convert by degrees absolute prohibitions into tariffs, and high tariffs into moderate tariffs. France will not be the last to follow this example; but, in entering upon a new and more liberal system, the object of which is the progressive enfranchisement of industry, the government is bound to declare that it means to pursue it with prudence and caution. A government founded upon institutions like ours should have no prejudices: and I think I may affirm that ours has none. But if it has no prejudices, neither is it actuated by any blind spirit of system; it recognizes but one authority—experience. It wishes neither to stop nor to gallop on: it wishes to walk. There is one fact acknowledged by every mind disciplined by study and reflection—namely, that in no age or country can an instance be cited in which any considerable and substantial good has been effected hastily.

"The government will not, therefore, forget that if manufacturers require liberty they also require protection. *There is no example of a powerful and wealthy manufacturing industry that has not originated under a protecting tariff. The English navy, which seems to have been born only in the ocean, in which nature has placed it, grew up, however, under the bold and restrictive act of Cromwell.*

"With the exception of systematic and absolute minds, mankind are almost agreed upon these questions; no one desires either unlimited liberty for manufactures or an exclusive absolute protection. The object in view is a wise measure of protection and liberty, by graduating the tariff, according to age, to circumstances, and to the state of interests.

The government has three important questions to propound to you:—

"It will consult you respecting, probably, the greatest of our agricultural and manufacturing interests—the conditions under which the introduction of foreign wool should be allowed.—You will weigh the interests of our agriculture, which require the vivifying presence of flocks, and those of our beautiful manufacture of woollen cloth, long the first in Europe, and which requires that the raw material should not be dearly bought. It is superfluous, of course, to tell you that the government projects no measure this year; it is merely desirous of obtaining your advice and direction in one of the gravest and most frequently agitated questions.

"The second question has in view the consulting you respecting the best means of obtaining a good collection of facts. In this respect we are sadly behindhand. All true science, every sound legislative resolution, ought to be based upon a knowledge of facts, and yet every day our uncertainty respecting them checks us in our legislative discussions. We have only been able to reach some certainty with respect to the facts shown in the custom house registers. The smuggling trade, which takes away a part of the products, conceals from us likewise a knowledge of some of the facts. It is regarding this first of the elements of economical science that we have to consult you.

"The government will inquire of you, in the last place, whether it is expedient to direct, this year, an exposition of our manufactures. You, gentlemen, who have recently left our manufacturing towns, will be able to acquaint us with their wishes and conveniences.

"These three questions are intended as an indication—they are not a limit. You will be free to propose to us whatever your knowledge and patriotism may suggest as useful. The government will listen with serious attention to your wishes and your advice."

The editor of a London paper, on publishing the preceding says—

It will thus appear that the French intend to adhere to the RESTRICTIVE SYSTEM, and certainly not to admit, (at least this year), our iron, our cotton twist, or any of our manufactures, at a reduced duty; but, on the contrary, the prohibitory system, (notwithstanding the prophecies of Mr. P. Thomson), will be continued by Louis Philippe and his liberal deputies, in spite of the relaxations of our own commercial code, and the encouragement we have held out to a free trade. What will the political economists and free traders say to this?

☞British "relaxations" and "encouragements!" In what has Britain relaxed, except in regard to articles in which she fears no competition? Are not even bread-stuffs and meats, and the chief products of the forest and of the sea, as if *prohibited* by her? Does she not impose a duty of seven cents the square yard even on calicoes? She makes a great fuss about her "relaxation" as to silks—their importation was *prohibited* until 5th July, 1826, and they yet pay a duty of *thirty per cent.* on her own valuations of them. She is also boastful about her "free trade" in gloves. These were *prohibited* until July, 1826—but they pay a duty of from eight to fourteen cents per pair—all women's gloves or mits being subject to the latter duty. What else? We should be thankful if some who talk so much about British "free trade" would descend from their heroicks into simple statements of facts.

## POPULATION OF THE UNITED STATES.

*From a correspondent of the National Intelligencer.*

| | | *North of Potomac and Ohio.* | | *South of Potomac and Ohio.* | |
|---|---|---|---|---|---|
| 1790 | White | 2,155,835 | | 1,016,629 | |
| | Slaves | 147,293 | 186,344 | 550,604 | 571,019 |
| | Free colored | 39,051 | | 20,415 | |
| | Total | 2,342,179 | | 1,587,648 | |
| 1800 | White | 2,877,643 | | 1,426,846 | |
| | Slaves | 150,978 | 226,771 | 742,063 | 774,667 |
| | Free colored | 75,793 | | 32,604 | |
| | Total | 3,104,414 | | 2,201,513 | |
| 1810 | White | 3,977,023 | | 1,884,981 | |
| | Slaves | 151,595 | 279,995 | 1,039,769 | 1,097,815 |
| | Free colored | 128,400 | | 58,046 | |
| | Total | 4,257,018 | | 2,982,796 | |
| 1820 | White | 5,436,737 | | 2,429,832 | |
| | Slaves | 138,817 | 295,301 | 1,399,921 | 1,476,961 |
| | Free colored | 156,484 | | 77,040 | |
| | Total | 5,732,038 | | 3,906,093 | |
| 1830 | White | 7,349,334 | | 3,188,044 | |
| | Slaves | 134,945 | 341,836 | 1,874,098 | 1,986,806 |
| | Free colored | 206,891 | | 112,708 | |
| | Total | 7,691,170 | | 5,174,850 | |

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VIRGINIA.

| | | White. | Slaves. | Free colored. |
|---|---|---|---|---|
| 1790. | East of the mountains | 507,885 | 291,273 | 12,703 |
| 1830. | do. do. | 375,940 | 416,259 | 40,708 |
| 1790. | West of the mountains | 34,230 | 2,154 | 63 |
| 1830. | do. do. | 318,505 | 53,465 | 6,323 |

SOUTH CAROLINA.

| | White. | Slaves. | Free colored. |
|---|---|---|---|
| 1790 | 140,178 | 107,094 | 1,801 |
| 1830 | 257,878 | 315,665 | 7,915 |

[The aforegoing will answer a part of Mr. *Bibb's* resolution. I pronounce it an accurate statement; and it cost me no little labor.]

## THE ARMY OF THE REVOLUTION.

*From the same.*

The following table shows the number of soldiers furnished to the regular revolutionary army by each state in the union, and by each division of the states: likewise the relative part of its free population which each furnished to the army. Any one acquainted with the history of the revolution can make his own comments upon "the chivalry" of the respective portions of the union, in those "times which tried men's souls." H. B.

| STATES. | *Free population in the year 1790.* | *Regulars furnished to the revolutionary army.* | *Percentage of the free population furnished to the army.* | *One soldier was furnished by a free population of* |
|---|---|---|---|---|
| New Hampshire | 141,000 | 12,497 | 8.86 | 11.28 |
| Massachusetts | 475,000 | 67,907 | 14.29 | 6.99 |
| Rhode Island | 68,000 | 5,098 | 7.49 | 13.33 |
| Connecticut | 235,000 | 31,939 | 13.59 | 7.45 |
| Total, New England, | 919,000 | 117,441 | 12.77 | 7.82 |
| New York | 319,000 | 17,781 | 5.56 | 17.93 |
| New Jersey | 173,000 | 10,726 | 6.20 | 16.12 |
| Pennsylvania | 431,000 | 25,678 | 5.95 | 16.78 |
| Delaware | 51,000 | 2,386 | 4.67 | 21.37 |
| Total, middle states, | 974,000 | 56,571 | 5.88 | 17.21 |
| Maryland | 216,000 | 13,912 | 6.44 | 15.67 |
| Virginia | 561,000 | 26,678 | 4.75 | 21.02 |
| North Carolina | 393,000 | 7,263 | 1.84 | 54.10 |
| South Carolina | 133,000 | 6,447 | 4.84 | 20.62 |
| Georgia | 51,000 | 2,697 | 5.28 | 18.81 |
| Total, south. states, | 1,354,000 | 56,997 | 4.21 | 23.75 |
| Total of 13 states, | 3,247,000 | 230,909 | 7.11 | 14.06 |

## MEXICO.

*Translation of a letter from Bernardo Gonzalez, minister of foreign affairs of Mexico, to the secretary of state of the U. States.*

*Palace of the federal government, Mexico, Jan. 24, 1833.*

The undersigned, secretary of state for foreign relations, of the United Mexican States, has the honor of informing you that the civil war, which has desolated the republic during the past year, has been terminated by the convention concluded at Zavaleta, on the 23d December, 1832, between the armies under the respective commands of general Don Anastasio Bustamente and general Don Antonio Lopez de Santa Ana; and that general Don Manuel Gomez Pedraza has assumed the duties of the chief magistracy, to which he had, in 1828, been elected by the absolute majorities of the legislatures of the states. The whole republic being now tranquil, and peace having been insured, the government is solely occupied in regulating the various branches of the administration, and restoring the constitutional system to its original state; in all which they trust, that they will be favored and protected by Providence.

The stipulations made by each party, together with the motives which dictated them, will be seen by reference to the treaty of Zavaleta, of which I send herewith a copy. The republic has thereby been freed from the horrors of anarchy, and we have now the agreeable prospect of an entire establishment of the constitution, and a rigid observance of the laws.

The president of this republic has considered it one of his first duties to request your kind offices in making known this happy event to the government of the United States, being assured that the amicable relations which have heretofore subsisted between the two countries, the highest gratification will thus be afforded to it and to you.

The undersigned has the honor of assuring you of his most distinguished consideration, your most humble,

[Signed] BERNARDO GONZALEZ.

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The principal points of the convention of Zavaleta, referred to above, are:

All elections of members of the general congress, or to the state legislatures, made since September 1, 1828, are declared null and void.

New elections are ordered throughout the whole republic, and the legislatures of all the states are to be in session by the 15th February, 1833, or sooner, if possible; each is then to choose two senators, and two persons to fill the office of president and vice president. Those senators and the members of the lower house of congress to be in the city of Mexico by the 20th of March. The congress to meet the 25th March, and the votes for the election of president and vice president to be opened on the 26th, in the presence of both houses, so that the result may be made known on the 30th.

General Manuel Gomez Pedraza is to be recognized as the lawful president, until the 1st of April, when the term of office expires by the constitution.

The congress is to be petitioned to approve this convention, and to sanction the means which have been employed to obtain it—to pass an act of general amnesty, with regard to all that has happened since September 1, 1828—to reorganize the army, and remodel the laws respecting it—to revoke certain decrees passed by the late congress.

The convention is signed, first by general Bustamente, as general in chief, and the officers of the army under his command—then by general Santa Ana and the officers of his army, according to regiments and battalions.

## CHINESE PRAYER FOR RAIN.

*From the New York Observer.*

On the 31st of May last, an official paper was published by the emperor of China, lamenting the want of rain. He had previously directed sacrifices to be made to the gods, and "devoutly knocked his head on the ground," but without effect. "His scorching anxiety had continued night and day, and hour after hour, he looked earnestly for rain; but none had fallen." He "had turned his thoughts in upon himself, and his government," but had found nothing amiss. "His own conduct," he says rather proudly, "ought to have induced a sweet harmony between the rain-bearing clouds above, and the parched earth below, but this had not been the effect;" and, therefore, in this official paper, the emperor directs "a mitigation of punishment for convicted persons in the province of Pekin, (except in the case of great crimes)," and orders that "accused persons should be brought to a speedy and fair trial;" that "imprisoned witnesses should be at once confronted with the opposite parties, or be set at liberty on bail;" and that "all small offences be immediately disposed of and the parties liberated." "Thus, (he adds), we may hope for timely, genial and fructifying showers. Let the criminal board immediately obey these commands. Respect this."

This last contrivance was as ineffectual as all that had preceded it. The drought was severe; and continued still for many weeks. The emperor, kings and princes "fasted and prayed once in seven days, before altars dedicated to the gods of heaven, the gods of the earth, of the year, of the land, of the grain, and finally, to imperial heaven itself, and also to imperial earth, with all the saints." His majesty, moreover, sent a king to Tae Shan, "the great mountain," in Shangtung province, with Tibetian incense matches, to pray for rain in the emperor's stead. But all was of no avail, and at last on the 25th of July, the emperor offered up the following

PRAYER FOR RAIN, *written by his imperial majesty Taoukwang, and offered up on the 28th day of the 6th month of the 12th year of his reign*—July 25th, A. D. 1832.

"Kneeling, a memorial is hereby presented, to cause affairs to be heard.

"Oh, alas! Imperial heaven, were not the world afflicted by extraordinary changes, I would not dare to present extraordinary services. But this year the drought is most unusual. Summer is past, and no rain has fallen. Not only do agriculture and human beings feel the dire calamity; but also beasts and insects, herbs and trees, almost cease to live.

"I, the minister of heaven, am placed over mankind, and am responsible for keeping the world in order, and tranquilizing the people. Although it is now impossible for me to sleep or eat with composure; although I am scorched with grief, and tremble with anxiety; still, after all, no genial and copious showers have been obtained.

"Some days ago, I fasted, and offered rich sacrifices, on the altars of the gods of the land and the grain; and had to be thankful for gathering clouds, and slight showers; but not enough to cause gladness.

"Looking up, I consider that heaven's heart is benevolence and love. The sole cause is the daily deeper atrocity of my sins: but little sincerity and little devotion. Hence I have been unable to move heaven's heart, and bring down abundant blessings.

"Having respectfully searched the records, I find, that, in the 24th year of Keenlung, my imperial grandfather, the high honorable and pure emperor reverently performed a 'great snow service.' I feel impelled by ten thousand considerations, to look up and imitate the usage, and with trembling anxiety, rashly assail heaven, examine myself, and consider my errors; looking up, and hoping that I may obtain pardon. I ask myself—whether in sacrificial services I have been disrespectful? Whether or not pride and prodigality have had a place in my heart, springing up there unobserved? Whether, from the length of time, I have become remiss in attending to the affairs of government; and have been unable to attend to them with that serious diligence, and strenuous effort, which I ought? Whether I have uttered irreverent words and have deserved reprehension? Whether perfect equity has been attained in conferring rewards or inflicting punishments? Whether in raising mauso-

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leums and laying out gardens, I have distressed the people and wasted property? Whether in the appointment of officers I have failed to obtain fit persons, and thereby the acts of government have been petty and vexatious to the people? Whether punishments have been unjustly inflicted or not? Whether the oppressed have found no means of appeal? Whether in persecuting heterodox sects, the innocent have not been involved? Whether or not the magistrates have insulted the people, and refused to listen to their affairs? Whether in the successive military operations on the western frontiers, there may have been the horrors of human slaughter, for the sake of imperial rewards? Whether the largesses bestowed on the afflicted southern provinces were properly applied; or the people were left to die in the ditches? Whether the efforts to exterminate or pacify the rebellious mountaineers of Honan and Canton, were properly conducted; or whether they led to the inhabitants being trampled on as mire or ashes? To all these topics, to which my anxieties have been directed, I ought to lay the plumb-line, and strenuously endeavor to correct what is wrong; still recollecting that there may be faults which have not occurred to me in my meditations.

"Prostrate I beg imperial heaven, *Hwang Teen*, to pardon my ignorance and stupidity; and to grant me self-renovation; for myriads of innocent people are involved by me, a single man. My sins are so numerous, it is difficult to escape from them. Summer is past, and autumn arrived; to wait longer will really be impossible. Knocking head, I pray imperial heaven, to hasten and confer gracious deliverance—a speedy and divinely beneficial rain; to save the people's lives and in some degree redeem my iniquities, Oh—alas! Imperial heaven, observe these things! Alas! oh imperial heaven, be gracious to them. I am inexpressibly grieved, alarmed and frightened. Reverently this memorial is presented."

*Remarks of the New York Observer.*

This is a most singular production. It is one, too, of great value. It is worth more than scores of quartos and folios of the vain speculations which have been published concerning China. Even allowing that much of the coloring has been given to it for effect merely, (which we are slow to admit), still it exhibits an exalted personage in a most interesting and affecting point of view. It is withal a very serious document: as it conducts us to the anti-chambers of the "celestial court," and there shows us the "minister of heaven," scorched with grief, poring over his atrocious sins, and with trembling anxiety, recounting the errors of his public and private life; our sympathy is excited, and we, instinctively, re-echo his lamentation, Woo hoo! Oh, alas!

It exhibits weakness and darkness peculiar to the human mind, while unblessed by the revealed word and by the spirit of the only living and true God. It shows, also, very distinctly, if we mistake not, the symptoms of an oppressed and declining empire. We predict nothing. We should rejoice to see "the great pure dynasty" long stand strong, flourishing in all the glory, peace, tranquillity, and prosperity which it now proudly and falsely arrogates. The welfare of the Chinese empire is the dearest object to our hearts on earth. But our own minds, in accordance we believe with the minds of millions, forebode an approaching change. We cannot deny the evidence of our senses; and we will not, knowingly, conceal the truth. Causes are operating on this nation—would they did not exist—which must produce tremendous effects. The state groans; and already convulsions begin to be felt. And oh, should the bands of government be once broken asunder, and this immense mass of population—an ocean of human beings—be thrown into confusion, the scene would be awful. We gladly turn from the contemplation of such a picture.

The emperor's anxieties, occasioned by the long continuance of the drought, are now terminated. By a paper in the Gazette, dated at Peking, July 29th, it is stated—that once the emperor had fasted, and offered the prayer, given above, before the altar dedicated to heaven—at about 8 o'clock on the same evening, thunder, lightning, and rain were intermingled; the rain falling in sweet and copious showers. The next day, a report came in from the shunteenfoo magistrate, that two inches had fallen: and on successive days, near the imperial domain, a quantity fell equal to four inches. For this manifestation of heavenly compassion, the emperor, in an order published, expresses his devout devotion and intense gratitude; and the 2d of August is appointed as a day of thanksgiving. Six kings are directed to repair to the altar dedicated (1) to heaven, (2) to earth, (3) to the gods of the land and grain, (4) to the gods of heaven, (5) to the gods of earth, and (6) to the gods of the revolving year.

The precise idea which his imperial majesty attaches to the words "imperial heaven," we will not stay here to determine. It is manifest, however, that such a variety of objects of adoration cannot be acceptable to HIM who has declared "*Thou shall have no other gods before me.*" Jehovah is not a man that he should lie;—he will not give his glory to another. The conduct of the emperor in praying, fasting, and self examination, ought to reprove the christian. But we shall do exceedingly wrong, if we attempt to excuse such abominable idolatry, and to throw the mantle of charity over that which God abhors.

It is a very remarkable circumstance, connected with the drought, that none of the priests of Taou and Budha were *ordered* to pray as they usually have been heretofore on similar occasions. This single fact shows in how low estimation *they* are held by the emperor.

## VETO IN MASSACHUSETTS.

### GOVERNOR'S MESSAGE.

*To the honorable senate.*

A bill entitled "an act to incorporate the proprietors of the second Baptist meeting house in Lowell," was yesterday laid before me, for my approval, which feeling myself constrained to withhold, I now return the same, with my objections thereto, to the senate, where it appears to have originated, for revision, pursuant to the provisions of the constitution.

The first section of the bill proposes to constitute certain persons, by name with their associates and successors into a corporation by the name of the proprietors of the second Baptist meeting house in Lowell, *with power to acquire and manage real and personal estate, not exceeding in value twenty thousand dollars.* In the second section, it is provided, that the corporation may divide their estate into shares, as their bye laws shall direct, and may make on such shares assessments not exceeding one hundred dollars, on each share, and authorises a sale of the shares of delinquent proprietors, who shall neglect or refuse to pay their assessments. The number of shares is no otherwise restricted, than by the aggregate amount of funds, which the corporation is permitted to possess. There is no where to be found in the bill, any limitation of the uses to which this property is to be applied, or any indication of the description of estate which the corporation may hold. Indeed, otherwise than by the name given to the corporation, and which neither defines, nor can control its powers, there is nothing to designate its intended character, or distinguish it from a monied, manufacturing, or other business institution. Taken in all its provisions, it is, in effect, neither more nor less, *than a broad and bold authority* to certain persons to "*acquire and manage,*" with the facilities of an act of incorporation, property to the amount of twenty thousand dollars raised by assessment, divided and held in shares, and to be disposed of, at pleasure. In stating this position, it can hardly be necessary to remark, that the title of the bill, which seems to imply that the persons proposed to be incorporated are proprietors of a meeting house, is no part of the enactment, nor need it be repeated, that the name by which a corporation is created has little to do in regulating its operations. If it was designed to constitute a corporate body for religious purposes, the bill departs from the technical and definite phraseology, by which that design of the legislature is usually manifested. The reference which is had in the bill to the powers and requirements contained in an act concerning corporations, applies only to those powers which respect the organization of such bodies, and are made common to corporations of every description, where special and different provisions are not prescribed.

Holding, therefore, as I do, that if the bill should pass into a law, the corporation thereby created, would be competent to acquire, hold, and manage estate, real and personal, to the extent of twenty thousand dollars, *wholly unrestrained in its uses*, by the statute, and believing that in grants of this description, it must be the intention of the legislature to direct the application of the funds, I respectfully submit these considerations, as *objections* both to the expediency and propriety of the form of the present enactment.

A particular matter, certainly of this minor importance, might hardly seem to warrant me, in claiming for it so much of your attention. But I cannot forbear to avail myself of the opportunity which the objection to this bill creates, to express also my apprehensions of future embarrassment from the facility and frequency with which corporate powers are granted. The effect is to destroy individuality of interest, and to accumulate masses of property in aggregate bodies; to convert substantial freeholds into mere securities for transferable paper, or by locking up property from private disposal in the funds of another class of corporations, to induce to a reliance for the accomplishment of ordinary purposes upon public provisions, rather than the results of personal industry and exertion. Whenever large capital and combined means are required to effect great objects, whether of business or moral improvement, they may most effectually be secured under acts of incorporation. To such purposes, and to a wide range of interests, these legal facilities, doubtless, may be judiciously, if they are not of necessity accorded. But they must be limited in their application, by some rules of public policy. And I humbly and earnestly appeal to the consideration of the legislature, at least, as some guard against abuses of the authority conferred, that in every act of incorporation which their wisdom may sanction, the object of the grant, whatever it may be, shall be made manifest, and the powers which are to be exercised, either expressly or by distinct reference, be clearly and precisely defined. LEVI LINCOLN.

*Council chamber, March 20th, 1833.*

## CIRCULAR TO POSTMASTERS,

*Relative to the abuses of the franking privilege, and sending books in the mail.*

*Post office department, April* 11, 1833.

Being informed by official reports, "that the abuse of the franking privilege is increasing to an extent which threatens seriously to impair the revenue of the department;" that "it is not confined to correspondence from which no pecuniary advantage results, but is extended to the commercial and business transactions of the country—instances having been detected of its being practiced for the benefit of banks and venders of lottery tickets;" that "every day, letters are left to be mailed, bear-

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ing the franks of persons who are, and for some time have been, many hundred miles distant;—and letters are received from the large cities bearing the franks of gentlemen well known to be remote from those places, the addresses being in hand writing different from the franks; with other circumstances attending, obviously showing that those, whose franks were upon them, could have no participation in, or knowledge of the letters:" and that "blank envelopes, with franks upon them, have been surreptitiously and otherwise obtained, with a view of covering correspondence, in violation of law;"—I deem it my duty to call on all postmasters, to be vigilant in detecting and preventing these frauds upon the revenue of the department; and strictly to obey that requirement of the act of congress, which makes it "their especial duty to prosecute" for such offences.

It is because the letter is actually, or by construction of law, *from* the person authorised to send it free, that it is exempted from postage. The frank is merely the certificate of the fact that it is so. When, therefore, the circumstances connected with the letter, are such as to show that it is *not* from such a person, and that the frank on it is, in effect, a false certificate, postmasters will, in such cases, charge the letter with postage; and they are particularly required to do so, whenever the address on the letter is in a hand writing different from the frank, unless that circumstance is satisfactorily explained.

Penalties attach, whenever a person franks a letter from another, unless written by his own order, and on the business of his office, except that the secretaries of the state, treasury, war, and navy departments, and the postmaster general, may frank letters and packets on official business, prepared in any public office, in the absence of the principal thereof. In prosecuting for these penalties, postmasters will obtain the aid of the district attorney of the United States, and for that purpose, report to him the circumstances, and the names of the witnesses in each case; and they will cause the proceedings to be instituted in the district court of the United States; not only against those who abuse their frank, *but also against those who procure* it to be done. Attention is called to the subjoined references to, and extracts from, the law and regulations of the department.

It has been reported by several postmasters, that numerous volumes of books have lately been discovered in the mails, the wrappers in which they were enveloped and franked, when mailed, having worn off; and that this mode of sending them through the country, has been practised to an extent that has subjected the conveyance of the mail to vexatious burthens and delay;—I, therefore, require all postmasters to be careful to ascertain, when bulky packages are left to be mailed, if they contain books, or any other article not authorised by law to be so transmitted; and on discovering that to be the case, to withhold them, in all instances, from the mail.

W. T. BARRY, *postmaster general.*

See pages 15, 16, 21, 26, 28, 29, and 52, of the law and instructions of the post office department, (edition of 1832) to ascertain who are entitled to the franking privilege.

*Sections* 24 *and* 28, *of the act of congress, passed March* 3, 1825, *entitled "an act to reduce into one the several acts establishing and regulating the post office department."*

Sec. 24. *And be it further enacted*, That every person, who, from and after the passage of this act, shall procure, and advise, or assist, in the doing or perpetration of any of the acts or crimes by this act forbidden, shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of the said acts or crimes, according to the provisions of this act.

Sec. 28. *And be it further enacted*, That if any person shall frank any letter or letters, other than those written by himself, or by his order, on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars, and it shall be the especial duty of postmasters to prosecute for said offence: *provided*, that the secretary of the treasury, secretary of state, secretary of war, secretary of the navy and postmaster general, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post office, marking thereon the place from whence it came, that it may be charged with postage. And if any person shall counterfeit the hand writing or frank of any person, or cause the same to be done, in order to avoid the paying of postage, each person, so offending, shall pay for every such offence, five hundred dollars.

## THE BURNING OF THE TREASURY.

OFFICIAL REPORTS.

*Note of the president, directing an investigation in relation to the fire.*

In consequence of the public loss sustained by the burning of the treasury building, and the destruction of some valuable papers, the president has deemed it proper, at the request of the secretary of the treasury, to direct an inquiry to be made into the cause of the disaster. He therefore directs a thorough and careful investigation to be made on the following points.

1. In what manner was the fire occasioned?

2. If accidental, how did it happen? Was it from any defect in the original construction of the building?—or was it occasioned by carelessness or negligence? And if by carelessness or negligence, to whom can either be attributed?

3. Were proper exertions used to preserve the books, papers, and public property in the building, as well as to save the building itself?

The attorney general is directed to conduct the inquiry, and the other members of the cabinet to aid in it. The witnesses to be examined on oath, and their depositions reduced to writing; and when the investigation is closed, the testimony to be reported to the president, together with the opinions of the members of the cabinet on the points above stated.

The president directs that the chief justice of the circuit court for the District of Columbia be requested to preside at the investigation, and to assist in it. ANDREW JACKSON.

*March* 31, 1833.

*Report of the investigators.*

SIR: We have made the inquiries directed by your order of the 31st of March last, in relation to the fire at the treasury building, on the morning of that day, and proceed to state the manner in which the investigation was conducted, and the result of the inquiries.

We commenced the examination of witnesses at the room of the secretary of state, on the day of the fire at two o'clock in the evening, and continued to take testimony at the same place every day until the evening of Saturday, the 6th instant. The proceedings were then unavoidably suspended until Wednesday the 10th instant, when some further testimony was taken, and the investigation closed. We have examined altogether more than fifty witnesses, and have called before us every person from whom it was supposed that any information could be obtained on the subject.

Chief justice Cranch presided at the examinations, and gave to the inquiry his unremitting attention and valuable assistance. You are aware the secretary of the navy left Washington, in order to execute some official duties, before the investigation was concluded.

It appears from the whole evidence, that the fire was first discovered about half past two o'clock in the morning. The attention of two or three persons who reside in the neighborhood and in view of the building, was attracted by the light from the windows; and nearly at the same time the volume of smoke occasioned by the fire was observed by others who happened to be in the streets in different parts of the city.

Those who discovered the fire immediately gave the alarm, and hastened to the building; and when the first persons arrived on the ground, the guard within the house was still asleep, and unconscious of the fire, and was awakened by the noise made at one of the doors to rouse him. There is some difference of opinion among the witnesses as to the precise state of the fire at that moment. But taking the whole testimony together, we think it is fully proved, that when the first persons arrived on the ground, the room in the second story on the north side of the house, and immediately west of the projection in the centre of the building, appeared to be on fire in every part—that the flames and dense clouds of smoke were issuing from one or both of the windows of the room—and that there was then no appearance of fire in either of the adjoining rooms, nor in the garret, nor roof. In a very few minutes, however, the fire was communicated to the adjoining rooms, and to the garret and the roof; and the garret being filled for the most part with old papers and paper cases, the flames spread through it with great rapidity. The first engine arrived on the ground in twenty minutes after the fire was discovered, and the roof over the room in which it originated was then blazing, and very soon afterwards began to fall in. Every exertion to check the flames was immediately made with this engine, and others which arrived shortly after it. But it was soon evident that the want of a sufficient supply of water in the neighborhood of the building rendered it impossible to save it, and the fire continued to advance. And in about one hour from the time it was first seen, the whole building, with the exception of the fire-proof portion of it, was either consumed or on fire.

We have endeavored in vain to trace the origin of the fire, and are unable to impute it to any particular cause. Three of the witnesses who have been examined, passed near the building about half past one o'clock, or a little later, on the morning of the fire, and at that time there was no light from any of the windows, nor any thing in or about the house to attract attention or create alarm. The remains of the building have been carefully examined by skilful workmen, and they can discover no defect in its construction which may be supposed to have occasioned the disaster. On the night of the fire the usual precautions for security appear to have been taken. The regular watchman being sick and unable to attend, his place was supplied, under the direction of the superintendent, by a young man between nineteen and twenty years of age, who has been employed constantly for about eighteen months past, as one of the laborers at the building. And, according to the ordinary practice of the guard, he examined about ten o'clock at night all the rooms, except those in the fire-proof part of the house, and found the fires in the grates to be, as he supposed, entirely safe. The fuel used in the part of the building where the fire began, is anthracite coal; and in the room where it originated, the coal had sunk below the upper bar of the grate at the time of the examination by the guard: and the blower, resting on the ash pan, was placed as a fender before it, according to the usual practice. No fresh coal had been put on the fire after twelve or one o'clock on that day. The outer doors and the windows of

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the house were fastened in the ordinary manner in the inside, with the exception of a window in the fire-proof, which seems to have been very negligently secured, if secured at all, on that night. But there is no communication between that room and the part of the building where the fire commenced; and if an evil disposed person had entered at that window, he could not have made his way into any other room.

The regulations of the superintendent made it the duty of the night guard to make the examination of the rooms and fires above mentioned; but he was not required to keep awake all night; and, since the year 1826, it has been the practice for only one of the watchmen to remain during the night in the building, and he has been permitted to sleep after ten o'clock.

As soon as the fire was discovered, the proper exertions were immediately made by the officers of the government and the citizens who assembled, to save the books and papers. And the most active and praiseworthy efforts were used for that purpose; and, in some instances, the zeal of those engaged exposed them to much hazard. The secretary of the treasury was early on the ground, and by his direction the books and papers were placed, as they were brought out, under the care of proper guards—and on the same day, at an early hour in the evening, they were deposited in a house that was immediately engaged for the temporary occupation of the treasury department.

We cannot, at this time, undertake to state with precision, what papers and books have been destroyed; since those which were saved have not yet been perfectly arranged. The secretary of the treasury has taken measures to obtain a prompt and accurate report from the heads of the beaureaux on this subject. But we believe that very few papers have been lost that are of much importance to the government or to individuals, and that the great mass of the most valuable books and papers have been saved.

The depositions we have taken accompany this report—and also drawings of the treasury building, which will enable you more readily to comprehend the testimony of the witnesses.

We have the honor to be, sir, very respectfully, your obedient servants,

(Signed) EDW. LIVINGSTON, *secretary of state.*
LOUIS McLANE, *sec'ry of the treasury.*
LEW. CASS, *secretary of war.*
R. B. TANEY, *attorney general.*
WM. T. BARRY, *postmaster general.*

*To the president.*
*April* 12, 1833.

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*Report from the secretary of the treasury to the president.*
*Treasury department, April* 12, 1833.

SIR—The report which will be made to you of the result of the investigation you have been pleased to institute, at the request of the secretary of the treasury, will present the information that has been obtained respecting the circumstances attending the recent conflagration of the treasury building. For your further satisfaction, however, it is thought proper to lay before you such other facts connected with the subject, as are within the knowledge of the officers of the department; and, as far as may now be practicable, to state the loss that has been sustained in the records and papers, and to offer such suggestions as may lead to greater safety in future.

With a view to this subject, the principal officers who occupied the building, viz: the first comptroller, first auditor, treasurer and register, were severally called upon; and their reports are herewith transmitted.

From all that has hitherto transpired, it does not appear that the disaster is attributable to any particular neglect or inattention on the part of those who had charge of the building. It is shewn that past ten o'clock at night all the fires were in a safe condition, and that no lights of any kind had been used in that part of the building in which the fire originated. Though the person employed to watch that night was asleep when the fire was discovered, it appears that it was not considered his duty to be awake all night, and that, in fact, it has been the authorised practice, for many years, for the watchman in the building to lie down to sleep after about ten or eleven o'clock. No satisfactory proof has been obtained of the cause of the disaster; and nothing need be here observed in addition to the report already adverted to.

By referring to the diagrams which accompany that report, the position of the apartments occupied by the several officers of the treasury may be seen. *In the basement or cellar*, three rooms on the south side were filled with boxes containing abstracts connected with settled post office accounts, and were in charge of the register's office; five other rooms were appropriated to the storing of fuel, and the residue were empty. On the *ground floor*, three rooms on the north side, in the eastern section, were occupied by the treasurer's office; the three rooms on the south side of that section, with one room on each side of the south door, and one room adjoining the treasurer's office on the north side, were occupied by the first auditor's office; all the other rooms on the ground floor, and the adjoining fire proof rooms, were occupied by the register's office. On the *principal or upper floor*, the six rooms in the eastern section of the building were occupied by the comptroller's office—the residue of the rooms on that floor, and the fire proof adjoining, were occupied by the secretary's office. In the *attic, or garret*, the middle room on the south side, was appropriated to papers and records belonging to the secretary's office—the two adjoining rooms on the east, and those of the comptroller's office; the south eastern corner to those of the treasurer's office; and all the residue to those of the register's office.

The fire was discovered in the second room west of the staircase, on the north side of the house, on the principal floor—being the room immediately adjoining the projection in the centre of the building, as laid down in the diagram, and being one of the rooms belonging to the office of the secretary, and occupied by Mr. A. Laub, (who was also the superintendent of the building), Mr. Wolf, and Mr. T. Dickins. It was discovered between half past two and three o'clock. The great progress it had made when discovered, and its rapid advance afterwards, until the total destruction of the building, are set forth in the testimony accompanying the report, and are besides so well known to the president as to need no further description.

The secretary, though not among the earliest, was nevertheless early in arriving at the scene of the conflagration. He soon saw from the progress which the fire was making, and from the whole inadequate means of checking or subduing it, that the entire building would probably be consumed. His attention was, therefore, immediately, and almost exclusively, directed to the preservation of the papers and records in the accounting offices and in the register's office. Many of the clerks and citizens assisted with great zeal and activity, as well in getting those papers and records out of the building, as in preserving them afterwards. Under the direction of the secretary, the several collection of papers, books, records, &c. that were made, were placed in charge of the clerks, or well known and trusty citizens. By these united exertions all the important papers belonging to those offices have been saved. Those belonging to the treasurer's office have also been preserved.

The flame, however, was so soon communicated to the garret and roof, particularly that part of the roof above the stairs leading to the garret, as to render highly dangerous, and indeed impracticable, any effort to save the papers and records belonging to any of the offices, which had been placed in the garret, and consequently they were all lost.

As soon as the papers, books and other records were taken out of the accounting and register's offices, the secretary's attention was turned to procuring suitable buildings for the immediate accommodation of the department. After various inquiries and negotiations, he succeeded in obtaining, before noon on Sunday, the five contiguous buildings on the south side of the Pennsylvania avenue nearest the eastern gate of the president's square. Before two o'clock on the same day, all the papers and records that were exposed, were safely removed to those buildings, and the fire proof apartments of the treasury, which remained undestroyed. On Monday and Tuesday the attention of the officers was chiefly devoted to the arrangement of the papers and records; and, on Wednesday, the business of the department, which had been partially resumed on Tuesday, was in full activity and transacted as usual.

Owing to the great quantity of papers, books, and other records removed from the building, and the disorder into which they were thrown, some time must necessarily elapse before it can be exactly ascertained what has been lost and what saved. From the progress the fire had made before it was discovered, it was not possible to save any part of those in the room in which it originated, or in that of the chief clerk immediately adjoining it on the west. Those contained in the room on the south side, directly opposite to that in which it commenced, and to which it must have communicated early, were also destroyed. Those in the other rooms occupied by the clerks of the secretary on the same floor were chiefly saved. Of those contained in the room occupied by Mr. Reid and Mr. Nesbit, next east of that in which the fire originated, by the timely efforts of the former gentleman, and a few others who arrived early, a great portion were saved; and of those contained in the room occupied by Mr. F. Dickins and Mr. Rodman, owing to the fearless exertions of the former gentleman, who, accompanied by a highly respectable citizen, entered the room by a ladder when the roof above was on fire, and continued till the doors of his own room were consumed, and the ceiling of that immediately adjoining on the east had fallen in, none were lost. The library and all the papers in the room occupied by the secretary were saved by the efforts of a few individuals, among whom were the chief clerk and Mr. T. Dickins, who entered it, by a ladder, through the semicircular window at the west end. All the furniture in the rooms, occupied by the secretary's clerks was consumed, and of that in the secretary's room, the greater part was broken in being thrown from the windows.

The principal loss sustained in the secretary's office, was the correspondence; the whole of which, with the exception of that relating to revolutionary claims, and to applications under the insolvent laws, and with the exception also of two record books containing letters to banks, and two containing communications to congress, was lost. Measures, however, are already in progress to replace them as far as may be found practicable. In the mean time, it is hoped that no serious detriment will be experienced in the transaction of the public business for want of them.

The reports from the first comptroller, first auditor, treasurer and register, which are herewith transmitted, exhibit the state of the papers and records of their respective offices as far as can now be ascertained. In those offices were contained all the papers and records which relate to accounts, settled and unsettled; and of these it is highly gratifying to find that the whole of the latter, and all the important portions of the former have been preserved.

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The secretary has reason to be satisfied with the conduct of all the persons belonging to his office who were present on the occasion. It is represented to him, that Mr. Anthony, Mr. Maginnis, Mr. Potter, Mr. Wolf, Mr. A. Laub, and Mr. Nesbit, and Mr. Mountz, were not aware of the fire at the treasury until it was consumed, owing to the distance of their residences. The chief clerk, and Messrs. McKean, Dungan, T. Dickins, Rodman, Reid, and F. Dickins were actively and usefully engaged in rescuing and preserving the books, records, and effects; as were also Mr. Lovejoy the messenger, and Mr. William J. Goddard, the laborer attached to the building, and Mr. Pettet the assistant messenger, who, owing to the distance of his residence, was late in arriving.

The secretary observed other clerks active and diligent on the occasion, as well as many of his fellow citizens. But as he cannot recollect all, and to name some only would seem invidious, he confines his notice in this place to those attached to his own office.

As the situation of the buildings now occupied by the department does not admit of being otherwise effectually protected, the secretary of war, has, at the request of the secretary of the treasury, directed a military guard to be stationed, and sentinels to walk round them from sunset to sunrise. Means will also be taken for removing some wooden fences which adjoin the building, to prevent fire from being communicated by them, and to prevent the shelter they afford to evil disposed persons.

Our own experience has demonstrated, what indeed could not otherwise be doubted, that there is no proper security for the public archives, consisting of so many and such important records, documents, and papers, except in fire-proof buildings. The present offices are not of this description. The buildings appropriated to the state and war departments are partially fire-proof, though in a very slight degree. The navy building is altogether insecure, even more so than the treasury building was,—inasmuch as the latter contained some fire-proof depositories in which a portion of the records were preserved. The secretary, therefore, does not deem it proper to recommend the repair of the building, if the president should be of opinion that he has authority to repair it. The secretary, however, takes the liberty to suggest, that, at the meeting of congress it be recommended that a fire-proof building be erected, of sufficient extent to accommodate all the public offices under the same roof, having regard as well to those already organized as those which the growth of the country will probably render necessary for some years to come. Such a plan would have the additional advantage of removing the great inconvenience which is now constantly experienced in the transaction of business, from the separation of the public offices.

All which is respectfully submitted.

LOUIS McLANE, *secretary of the treasury*.

*The president of the United States*.

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The reports of the comptroller, first auditor, treasurer and register of the treasury are added. They throw no light on the subject under inquiry, and the following summary notice of their several statements will subserve all general purposes.

The first comptroller, judge Anderson, reports that all the correspondence on revenue questions, from the commencement of the government up to February 28th, 1833, and most other papers and books of value have been found, and that "it has not yet been discovered that any books or documents of importance belonging to that office, or any accounts received in it from the auditor's office, are missing."

The first auditor, R. Harrison, reports that every thing in his office was removed,—and that none but papers of little value are missing and they are daily coming in. The office is perfectly re-organized.

The treasurer, John Campbell, reports, that all the articles, records, papers, furniture, &c. in the lower rooms were removed some time before the fire reached them. Those in the garret rooms were entirely destroyed. The lower rooms contained all the papers that relate to the transactions of the treasurer's office since 1st June, 1829, and the records of the treasurer's quarterly accounts for several years prior to that time, and the records of payments into the treasury by collectors and receivers of public money since 1816. The room in the garret contained all the books and papers relating to the transactions of the office prior to 1st June, 1829, with these exceptions. The papers are now all in order and arranged for use.

The register of the treasury, T. L. Smith, esq. reports, that there is satisfactory reason for believing that the contents of all the rooms that were occupied for the transaction of the business of this office, have been saved. The loss will be confined to the garret, and the cellar, which were merely places of deposite for the papers of the least value.

The losses are chiefly the vouchers of the internal revenue accounts, and those of the war and navy departments prior to 1817, and the "*abstracts*" of post office accounts prior to 1828. The records, daybooks &c. being preserved, little inconvenience is anticipated from the losses.

All these reports concur in the necessity of erecting fire-proof buildings, and the register adds a suggestion for the organization of fire engine companies.

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A belief is freely expressed, that the destruction of the treasury building was *not accidental;* which belief seems strengthened by the facts stated in the preceding papers, though no opinion is expressed on the subject.

The Globe says—We published yesterday the report of the secretary of the treasury to the president, accompanied by the reports of the heads of the respective bureaux. It will doubtless give great satisfaction to the public, to find the intelligence spread abroad by letter writers and others, tending to produce the belief that many of the papers and documents in relation to the accounts of the treasury—vouchers in relation to demands, such as pensions, &c. had been lost, has proved, upon examination, to be utterly unfounded.

It is a remarkable and fortunate circumstance, that all the material papers in relation to accounts *settled and unsettled*, have been preserved with the exception of those in relation to the contingent fund—and, therefore, that no pecuniary loss of considerable amount can be sustained by the government beyond that consequent on the destruction of the building and furniture.

The papers in relation to the expenditure of the contingent fund were, according to the testimony of Mr. Laub, the superintendent, consumed in the room in which, from the report of the secretaries to the president, it seems the fire originated.

## PUBLIC DINNER TO MR. TYLER.

A public entertainment was given to Mr. Tyler, one of the senators of the United States from Virginia, in Gloucester county, Virginia, on the 20th ult. On being toasted, he pronounced an ardent, "state rights" and anti-proclamation speech—as follows:

*The toast*. Our guest John Tyler: The renewed confidence of his country is the best commentary on his course.

*Mr. Tyler* expressed his sense of the honor implied in the sentiment just offered. He said that so strong a manifestation of respect and confidence proceeding from any portion of his fellow-citizens, could not fail to be highly appreciated—but, the gratification is greatly increased by the fact that it proceeds from the citizens of my adopted county, among whom I expect to finish my course on earth. No man could devise either a fairer land for his abode or more generous inhabitants for his associates and friends. From the moment that I arrived among you, you extended to me the hand of hospitality and kindness. You soon caused me to forget that I was a stranger, and your conduct upon this occasion furnishes me the assurance that I am not only surrounded by political, but personal friends. I shall use every effort so to acquit myself of my public duties as to merit a continuance of your confidence, and so to live among you as to deserve your respect and friendship.

I cannot resume my seat, gentlemen, without tendering to you my congratulations at the measure of peace and conciliation adopted by congress at almost the last hour of its recent session. No patriot could have regarded the events of the last four months without pain and apprehension. A deep gloom had settled upon our affairs. I frankly confess that I, who am not given to despair, was at times almost led to do so. A state had met the legislation of congress by counter legislation on her part. She had pronounced the laws laid for the advantage of the northern capitalists unconstitutional and grievously oppressive. She had remonstrated against them year after year; and her solemn protest was filed amongst the archives of government. If she had stopped with protests and remonstrances, she would but have done what had been done by our own state and every southern state. But she went farther. She declared those laws null and void by an ordinance adopted by her people assembled in convention, and absolved all within her limits from their observance, and threw over her citizens the protection of her judiciary. This excited into action the agents of the general government. The legislature of a state had opposed the legislature of the United States, and the resolution seemed to be formed to bring her to the feet of the federal government, by military force. The president had deemed it necessary to issue his proclamation, in effect, denouncing her leaders as traitors, and her people as dupes. He had caused the regular army to be assembled on her soil, and numerous public vessels to swarm upon her coast, and at a later day made a requisition on congress for all the naval and military force of the country. South Carolina, on the contrary, seemed to be resolved to maintain her position. If a proclamation was issued at Washington, she replied to it from Columbia; and if the trumpet sounded there, her bugle-blast was heard in return breathing a note of bold defiance. I considered the course pursued towards her highly impolitic. I thought I knew the southern man—that he was to be won more by gentleness and conciliation than by threats of violence—that he might be led, but could not be driven. I felt, too, that he was demanding but his rights, and that however impolitic or censurable South Carolina might have been in her course, yet that she demanded nothing but justice—sheer justice. The line of my conduct as the representative of a state that had twice pronounced, in solemn form, the tariff laws to be unconstitutional, was, according to my conception, clearly marked out. To the demand for swords and bayonets and cannon and muskets and armed men—to collect an unjust and unconstitutional tax, I had but one reply—do justice—repeal or modify your obnoxious laws—yield to the wishes of the whole south—do that for South Carolina and the other southern states, which England has refused to do for Ireland—repeal your tithe system, imposed not for the benefit of the parson, but the manufacturer. By a great and noble act of retribution, set a proud example to the governments of the earth, and demonstrate that temperance, forbearance and justice, are the ministers of free government. But those considerations seemed to

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have no effect, and the gloom grew more and more dense. Our friends had hoped much from the action of the house of representatives.

To one gentleman of that house, Mr. Verplanck of New York, the country owes much for the zeal and ability with which he pressed the bill from the committee of ways and means. He is no longer in congress and I regret it—left out probably because he has dared upon some occasion to differ from his party. He had an able coadjutor in my friend Mr. Wilde from Georgia, but zeal, however great, industry however untiring, could do nothing, and hope seemed almost to have fled. The raven cry of force—force alone was heard—force against our brethren, the descendants of those gallant men who had stood by our fathers in many a well fought field—force against those very men who had assisted in bearing aloft the flag of the country on the ocean and on the land—force to wrest a state and thereby to obliterate one of the stars of the confederacy, these things would have been accomplished. The war cry was in the breeze, and an unjust, and unconstitutional, and oppressive system was to be cemented and strengthened by the blood of freemen and the destruction of a state. But, gentlemen, the darkest hour of the night is said to be that which precedes the dawn of day. The day did come, and we may flatter ourselves that its light has scattered the clouds which so angrily threatened us. Of the principal agent in the accomplishment of this work of peace, I shall say nothing. Those who are disposed to interrupt the general rejoicing by discordant notes of censure and condemnation for the past, remind me of old Hook whose cattle had been impressed to supply the American army during the siege of York, and who, amid the universal joy attendant upon the surrender of Cornwallis, was represented by Mr. Henry as crying out through the camp and along the highways—beef! —beef!

While, however, we have escaped, as we may fondly hope, the danger of civil war, I should but deceive you if I did not express my deliberate conviction, that doctrines have been advanced and maintained, destined to bring our institutions into extreme danger. The moment was doubtless esteemed to be propitious for their advancement. Nullification it was seen stood in bad odour with the public, and consolidation, profiting by the panic, erected boldly its crest, trusting to rivet itself upon the affections of the people, through the unpopularity of nullification. Time is not allowed me to do more than invite your attention to one of these doctrines, advanced from a high quarter and openly maintained in debate—that doctrine which claims for the federal government the exclusive allegiance of the citizen—a doctrine which embraces every question heretofore held in dispute between the parties of this country, and if successfully maintained overthrowing all that has ever been contended for by the great republican party. We are brought to the feet of our opponents, and nothing worth contending for remains. If this doctrine is to prevail, as the settled political doctrine, I ask any man to tell me where is to be found any state right remaining. A state without citizens but as mere *quasi* citizens, and they owing it no allegiance! Why, gentlemen, can we be blind to the bold and reckless character of this assertion? Can we be ignorant of its necessary results? Can any sovereignty exist in a state whose inhabitants owe it no allegiance? Where is to be found its moral or physical power? When liberty is invaded, upon whom shall it call to defend it? Take any case, however oppressive. Suppose that a majority of congress decrees emancipation of your slaves—a majority of the people through their legislature resist this infraction of their rights by legislation, or with swords in their hands, while the minority takes sides with congress, that majority would be held to be traitors, while that minority would be applauded for holding fast to their allegiance. You who should rally to the banner of Virginia would be hunted as rebels, and the hangman would be your executioner. You are claimed as the citizens of a certain undefined and undefinable community, called the *United States*, which are construed into words of cabalistical influence under the present constitution, although when found in the old articles of confederation, possessed of the same import and applicable to the same subject, they are admitted to have no meaning at all. No escape from tyranny is left us, for the act of resistance is treason, and the effort to secede or withdraw from a political association, which threatens to rivet upon us and our posterity the chains of despotism, is rebellion to be put down by force of arms. What then remains to the states of this union of all their sovereignty? I will tell you—the right to petition, to supplicate, and on bended knees to ask for mercy. The privilege of the slave under the lash of his task master—this is all that remains. No logical mind will deny but that these are the consequences of this pernicious doctrine. The equal to this was never advanced in the highest and most palmy days of federalism.

The alien and sedition laws are universally held as odious, and yet what were they in comparison with this? Some four or five citizens were imprisoned, lawlessly and unconstitutionally imprisoned, under a perversion of *a single clause* in the constitution—but this fell doctrine changes the *whole instrument*—alters its entire character, and turns to scorn the resolutions of this state, adopted in 1798-'9—threatens absolute consolidation and employs the whole naval and military force of the country to accomplish it. Instead of a federal government formed out of 24 states and resting on compact, you have a single nation—a central government, exercising unlimited sway, and mere provincial departments holding their rights and exercising their powers but at the pleasure of that central government. The name of our beloved and honored state, if not stricken from the map, is permitted to remain to tell what Virginia once was, and in perfect mockery of her former high pretensions.

This doctrine of exclusive allegiance is but the result of that other doctrine which has been contended for so strenuously by a certain party in this country from the day that the federal government was put in motion, viz: That the constitution was not the result of compact among the states as separate communities and independent sovereignties, but was the work of the people. If it was the work of the people acting as one whole, then it was obvious that that whole, that entire mass was the sole sovereign, and of course had exclusive title to the allegiance of each and every individual within the broad limits of the union. This theory of the constitution was met and overthrown—all history gave it a flat contradiction. Its errors were too obvious to be imposed upon a thinking community. It rested principally on three or four words in the constitution "we the people of the United States" as if these could mean aught else, than "we the people of the states united;" the great struggle and true intent from the first was to re-establish this claim of exclusive allegiance; for it was obvious that the moment that concession was made, the contest was at an end, and this glorious federal union created by the states for their mutual defence and protection, would annihilate its very creators, and hold them but as mere dependencies. The argument is now somewhat varied, but is still intrinsically the same—allegiance is now made to refer itself to protection without regard to the head-spring, the state, from which that protection has flowed; and we are asked if the general government does not furnish us protection. The answer is plain and obvious. It does furnish us a guarantee of protection against foreign nations—it accomplishes certain great objects necessary for the peace and happiness of all—it provides for the common defence and general welfare of all the states, and while fulfilling the trusts confided to it, addresses itself to our affections and prepares one and all of us, if needs be, to pour out our last drop of blood for the union. But what then? Does it follow that because an agency is created for wise and beneficent purposes, that the agent must be converted into the master? If the government was created by the states, is it not their creature? and would any man be so reckless of his reputation for ordinary sagacity, to say that allegiance was due to any other than the sovereign creator. Each state has its agents to execute its will, but who ever dreamed, but the man whose idol was the diadem and the sceptre, that those agents were sovereign, and that allegiance was due them. Take the case of your judges—they afford protection and security to your persons and property. They spread over you the mild and benign influence of the law—if you are unlawfully imprisoned they set you at liberty by the writ of habeas corpus. But does this make the judge your sovereign and is your allegiance due to him. This reasoning applies from the president down to the humblest officer in public employment, embraces the army and the navy, all nothing more than the creatures of the United States—created by them, and existing but at their will and pleasure. A sovereign may select the means of accomplishing its own wise designs. If it is so feeble as to run the hazard of being crushed by foreign enemies, it may unite with its neighbors for purposes of general defence. If it apprehends collision with its neighbors and bloody wars, it may after its own manner unite with them. By compact with them, appoint one agent or more—employ any machine it may deem proper, whether such machine be an organised government, such as the federal government, or any other. It may confer greater or less power on the agency so created at its pleasure—but still its sovereignty remains unimpaired, and the allegiance of its citizens continues as before.

Are you prepared then to oppose those destructive theories—to contend for the rights of the states no matter by whom assailed? Are you attached to our federal system, or will you quietly permit doctrines to attain the mastery which will and must terminate in a mere majority and consolidated government? Will you still have the 24 stars, and 13 stripes to wave over you, and under its broad folds, brave the battle and the breeze, or will you agree for an instant that that glorious emblem of liberty shall be lowered in the dust, and a new flag wave forth having those stars obliterated and those stripes effaced.

To resist oppression is the natural right of man. Oppression comes from government—it forges shackles and fastens them on the limbs. I am more jealous of a government possessing the purse and the sword, than I am of the governed. When I am told of the dangers of nullification by a state, with a view to recommend consolidation to my adoption, my answer is, "let government be just, and nullification has no food on which to exist." Injustice alone begets resistance—and that is not all—in order to arouse a whole community to resistance, the sense of oppression must be great under which they labor. Virginia thrice declared the tariff for protection unconstitutional, unequal and unjust, and yet she preferred peace to resistance. She saw or thought she saw the substance of her people daily taken to enrich a favored class and yet she did not resist. Injustice on the part of government drove South Carolina to resistance, and who can answer for its consequences even upon Virginia, if another year had passed without an adjustment of the tariff question? I am not the apologist of South Carolina—my opinion of her course has been expressed elsewhere, and remains unchanged; but there is to me no terror in a state veto, when compared to the gloomy despotism of a government without check or limitation on its powers, spread over such a country as this.

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The veto when exerted by the simple man (the president) has met with our loudest applause. When by his *sic volo*, he arrested the Maysville road bill—when by a similar veto he prostrated the bank of the United States, many found in these proceedings new reasons for continued support; but the veto by the people of a state, because it may chance, in our judgment, to have been rash, precipitate and ill judged, is to drive us into consolidation and ultimately into monarchy, for unless these pernicious doctrines are arrested, such is to be the end of that system which has made us a happy and united people for the last fifty years, and has excited the wonder and admiration of the world. My resolution is taken—others may go after new gods, and fall down and worship them, but for myself I will worship the God of my fathers and live and die in their faith.

Mr. Tyler concluded by offering the following sentiment:

"Virginia, 'the blessed mother of us all.' He who denies her his allegiance, and shall refuse to come to her rescue, in the hour of her peril and her danger, is unworthy to be called her son."

—

The following were among the regular toasts.

The union of the states: Voluntary, the palladium of our liberty—Forcible, the rod of despotism.

George Washington the first: The second has not yet appeared.

Gov. *Floyd*, and Mr. *Tazewell* had been invited, but could not attend. They were each toasted, and each sent a toast—as follows:

*By gov. Floyd*—State sovereignty—Indivisible in itself, and indestructable in the hands of brave men.

*By Mr. Tazewell*—The independent legislator, who pursues the course dictated by his own judgment, although he pursues it *alone*.

We add some of the volunteers—

*By the president*—The voter in the minority in the senate of the United States on the bill to enforce the collection of customs: To such men we owe the foundation of our liberties—to such alone must we look for their perpetuity.

*By the vice president*—The revolution of 1801. Heaven send us another such, and that speedily.

*By A. W. Robins*—Henry Clay and the tariff of 1833.

*By C. S. Morriss*—Andrew Jackson: "And he shall stir up his power and his courage against the south, with a great army: and the south shall be stirred up to battle with a very great and mighty army. But he shall not stand, for they will forecast devices against him."—*Daniel* xi. 25.

*By A. B. Davis*—The president's unprecedented and unprovoked proclamation: "*Quene ad finem sese effrenata jactabit audacia.*"

*By Thomas Smith*—Nullification: Whenever it shall die, let this be its epitaph: "*Here lies the murderer of the American System.*"

*By M. W. Kemp*—South Carolina: Right in principle, though possibly wrong in policy.

*By J. L. Deans*—The Richmond Enquirer: It has proved "a curse upon the country."

*By A. L. Byrd*—South Carolina: But for the bold and fearless course which she has by her late ordinance pursued, the odious tariff of 1832 would have been fixed on our posterity.

*By T. M. Seawell*—Nullification: The rightful, and, as it has proved to be, the efficient remedy.

*By W. H. Roy*—Before offering another toast, permit me to remark, that while we rejoice around this festive board, in the sunshine of peace and restored harmony, and offer our heartfelt acknowledgments to those firm and patriotic spirits who gallantly breasted the storm, and proved themselves friends to liberty and defenders of the constitution, there still remains an individual, whose late course deserves the notice of this company—and that my object may be distinctly understood, and my motives fully appreciated, I will remark, that, however political differences may have heretofore separated us; however deep and broad the lines may in future be drawn, or whatever course it may be our several pleasures to pursue, I feel confident that there is not one present at this board who will not cordially unite with me, in a tribute of respect, an offering of gratitude, to the man whose powerful genius, and mighty influence, have been twice successfully exerted, to save us from the horrors of disunion and civil war. I will propose—the health of the son of Virginia, the adopted son of Kentucky—Henry Clay.

## CASE OF GEORGE GRANSTEIN.

JUDGE BAY'S REPORT.

*Court of sessions and common pleas, October term*, 1832.

Exparte *Geo. Granstein.* } Upon a petition for citizenship.

On the 7th October last, the petitioner presented his petition, during the sitting of the court, to be admitted to the right of citizenship; and the same being taken into consideration, he appeared to be entitled to that privilege, and was ordered to be admitted, on his taking the usual oath of allegiance to the state of South Carolina, and of fidelity to the United States.

Upon the clerk's tendering the oath to the petitioner, his counsel, Mr. *King*, objected to his taking that part of the oath which related to his allegiance to the state of South Carolina, but was willing to take that part which related to the United States. Whereupon I refused to admit him as a citizen, unless he took the usual and customary oath of allegiance to the state of South Carolina, as well as that of fidelity to the United States.

The grounds upon which I refused to admit him, were briefly the following:

*First*—That South Carolina was a sovereign and independent state, and had an unquestionable right to prescribe the terms and conditions upon which she would admit aliens to the rights and privileges of citizenship, from the day she assumed her sovereignty to the present time, by the law of nations, and the rights of all civilized states.

*Secondly*—That she had uniformly exercised this right and power, from the earliest period of her independence, [even before the independence of the United States was declared]; for in the constitution of 1776, the form of the oath is prescribed and directed.

And in the constitution of 19th March, 1778, the same form was laid down and directed, after the independence of the United States was declared.

Also, in the act of March, 1786, to confer the right of citizenship, the oath is prescribed to be administered to aliens on being admitted.

*Thirdly*—Because it was one of the highest prerogatives of the state, and the longest in use. I could not therefore permit it to be called in question; and dismissed the petition

E. H. BAY.

Exparte *Geo. Granstein.* } October 6th, 1832.

His honor judge Bay will please take notice, that the petitioner appeals from the decision in the case. Because having tendered to comply with all the conditions required by the act of congress, he was entitled to be admitted a citizen of the United States of America. HAIG, pro. pet.

*Court of appeals, April term*, 1833.

OPINION.

Exparte *Geo. Granstein,* } *O'Neale, J.*

The 4th paragraph of the 8th section, art. 1. of the constitution of the United States provides that congress shall have the power "*to establish an uniform rule of naturalization*, and uniform laws on the subject of bankruptcies throughout the *United States.*" In 1802, congress passed "an act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject," which, amongst other conditions to the admission of an alien to the rights of citizenship, prescribes "that he shall at the time of his application to be admitted, declare on oath, before some of the courts aforesaid, that he will support the constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every *foreign* prince, potentate, state or sovereignty whatever, and particularly by name, the prince, state or sovereignty whereof he was before a citizen or subject."—*2nd laws of the United States, by Story*, 850.

The petitioner who had complied with all the other requisites of the act of congress, offered at the time of his application to be admitted, to make the declaration on oath, required by it; but the presiding judge thought he must also take an oath of allegiance to the state. This he declined to do, and his application was on that account dismissed. The question now is, whether the presiding judge had a right to administer an additional oath to the petitioner.

In passing upon this question, it may be useful to premise that we have nothing to do with the consequences of the oath required by the act of congress. We are only to declare what the law is, not the obligation which the oath imposes. It is perhaps, due however to the occasion to say, that I entertain no doubt, that an alien when admitted to be a citizen, acquires all the rights, (except that of being elected president), and incurs all the obligations of a native citizen.

He owes precisely the same allegiance, and must in the same manner discharge the duties consequent upon nativity and residence, to the state or the United States.

The power to establish an uniform rule of naturalization is in the express words of the constitution of the United States, granted to congress: and the act of congress of 1802, was passed in pursuance of that power. The oath prescribed by it was the only one which could be required to be taken as a prerequisite to the admission of the petitioner, so far as the legislation of congress affects this question.

Is there any law of the state which required any other additional oath to be administered? It is perfectly clear on examining our statute book, that there is none.

The orders referred to by the judge below, were the oaths of office prescribed by the old constitutions, and not of citizenship. These were superseded by the oath of office of our new constitution. The act of 1784 (P. L. 339, 340,) was repealed by the act of 1786 (P. L. 412,) which is an act not to naturalize, but to confer on aliens some of the rights of citizens; its provisions are substantially enactments granting the rights and privileges of citizenship to aliens. The act of 1788 (P. L. 443) merely provides means whereby it might be ascertained, and a record preserved of such aliens as had been naturalized before the adoption of the federal constitution.

The act of 1799, (2nd Faust 273) grants the rights and privileges of citizenship to aliens, upon taking and subscribing an oath or affirmation of "*allegiance.*" The act of 1807 (acts 59, 60) is in direct affirmation of the act of congress, as having established the only rule of naturalization recognized or required by this state. For the provision of the act provides "that every

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alien previously to his or her being entitled to avail him or herself of any of the benefits of this act, shall *declare his or her intention to become a citizen of the United States, agreeably to the act of congress in such case made and provided.*"

From this review of the legislation of the state, it is most manifest that there is no law of the state, which requires that an alien upon being admitted a citizen, should take an oath of allegiance to the state.

From the adoption of the federal constitution, South Carolina true to her principles of fidelity to it, has never attempted to interfere with the naturalization of aliens.

The oath prescribed by the act of congress, is the only one which any law requires to be taken by an alien on becoming a citizen. The motion to reverse the decision of the judge below is therefore granted. JNO. B. O'NEALE.

We concur, { David Johnson. Wm. Harper.

## MR. CALHOUN'S LETTER.

The citizens of Edgefield village having invited Mr. *Calhoun* to a public dinner, the following is his reply declining the invitation.

*From the Edgefield Carolinian.*

*Fort Hill, March 27th*, 1833.

Gentlemen—I have been honored by your note of the 18th inst., inviting me, in the behalf of my friends in the vicinity of Edgefield, to partake of a public dinner to be given at such time as would suit my convenience.

In declining to accept this testimony of the approval of my public conduct, in the trying scenes through which I have so lately passed, I am governed by the course, to which I have adhered throughout the arduous and noble struggle, which this state has maintained in the cause of liberty and the constitution for so many years, and not from any indifference to the honor intended, nor want of respect for those, who have tendered it, in a manner so kind, and with an approbation so warm and flattering, as to command my most profound gratitude.

Foreseeing from the commencement of this controversy, that the part, which a sense of duty compelled me to take, would, from the position I occupied, expose the state, as well as myself, to the imputation of false and unworthy motives, and thereby tend to weaken the sacred cause, for which she contended, I deemed it my duty, in order to obviate, as far as practicable, such effect, to decline accepting all such testimonials of the public approval of my course, as has been offered me. This originating in a sense of duty, has been in strict accordance with my feelings. Having no personal object in view, I have looked singly to an honest and faithful discharge of what I believe to be my duty, regardless of the effects on my future prospects, or even on the standing I may have acquired by past services with a large portion of my fellow citizens, with whom it has and still continues to be my misfortune to differ, in reference to the public interest, at this important crisis. The reason, which has heretofore governed my conduct, must still continue to influence me. The struggle to preserve the liberty and constitution of the country, and to arrest the corrupt and dangerous tendency of the government, so far from being over, is not more than fairly commenced. In making this assertion, I do not intend to say, that we have not gained already an important advantage. Commencing the contest, as the state did alone and under so many disadvantages—against a system apparently so immovably established and sustained by so large a majority, and so powerful an interest; opposed and denounced both by the administration and the opposition—to come off not only without defeat, but with decided success, is indeed a triumph. In spite of all these difficulties, we have upheld and successfully asserted our doctrines, and proved by actual experience, that the rejected and reviled right of nullification is not, as its opponents asserted, revolution or disunion, but is that high, peaceable and efficient remedy; that great conservative principle of the system, which we claim it to be, and as it has proved, and that, too, after all the usual remedies had failed, and when without it none other remained, but secession, the last resort of an oppressed state, but which, like some powerful but dangerous medicine, cannot be prescribed, till the disease has become more dangerous, than the remedy, and when the life of the patient with or without it, is almost despaired of. Nor let any one suppose, that I have stated the facts too strongly, in saying, that we have successfully asserted our doctrines. To these assertions must be attributed, the recent adjustment of the tariff, which, whatever objections there may be to some of the details, there can be no division of opinion on the point, that the principle for which the state contended, that the duties ought to be imposed for revenue, and that no more ought to be raised, than the economical wants of the government may demand, is openly and explicitly acknowledged by the government. Time, it is true, has been liberally allowed for the gradual termination of the system, in order to avoid the shock and losses to individuals, which necessarily follow all sudden transitions, even from an erroneous to a correct principle of legislation; but, I feel, I hazard little in asserting, that the system will expire, at the appointed time, never more to be revived. For this great result, you owe little to me, or any other individual. It is the work of the state,—the truth of the doctrines for which she contended, and the firm and heroic zeal, with which she has been sustained by her sons, in asserting them; and by none more so, than those of Edgefield, a district, which has distinguished itself among the foremost for its union and promptitude in this great contest. It is, I repeat, to the noble resolve of her sons, to prefer the constitution and liberty to life itself, to which, under Providence, we are to attribute this success of our righteous cause.

But, let us not deceive ourselves, by supposing that the danger is past. We have but checked the disease. If one evil has been remedied, another has succeeded—the force act in the place of the protective system—a measure, striking directly at the fundamental principle of the constitution and deliberately passed to place on the statute book, and thereby to give legal sanction to a theory of the constitution, utterly hostile to that entertained by us, and, I may add, almost the entire south. I rest not this assertion on inference. What I state, was openly avowed in debate, and among others by its leading advocate, the distinguished senator from Massachusetts, who conceded that if the theory be true, that the constitution is a compact, formed by the people of the several states, as distinct sovereign communities, and is binding between them as such, then would the bill be, as we have asserted it to be, directly opposed to the fundamental principles of the constitution, and utterly subversive of that instrument; and that the bill could be vindicated only on the opposite view, which he maintained, and on which he advocated its passage—the view, which regarded the people of these states, as forming one nation, and the government as possessing the exclusive right of interpreting, in the last resort, its own powers; and thus practically substituting for the constitution the will of the majority, with the right of assuming at discretion, whatever powers it might think proper, and to enforce their exercise, however oppressive and unconstitutional, at the point of the bayonet, or even with the noose of a halter. Such now is our constitution as attempted to be established by an existing law of the land; and such will be the constitution in fact, should this odious act not be resisted, till it be erased from the statute book. If it be not resisted—if by our acquiescence, the principles, on which it rests, be practically established, then will there be an end to our constitutional and limited government, and, with it, to liberty and the constitution, for to expect to preserve either, under such a government, would be one of the vainest thoughts, that ever entered into the imagination of man.

The theory of our constitution, which is thus attempted to be established by law—a theory, which denies, that the constitution is a compact, between the states, and which traces all its powers to a majority of the American people, or, in other words, which denies the federal character of the government, and asserts that it is a consolidated system, is of recent origin, avowed for the first time, but three years since, and first officially proclaimed and asserted, within the last few months. There was a party, it is said, in the convention, which framed the constitution, in favor of consolidation; but it is a fact perfectly established by the journals of its proceedings, that they were defeated in that design; and from the dissolution of that body, till the time stated, all parties, the federal, as well as the republican, professed, at least, to believe, that ours was a federal system of government, to use the language of Fisher Ames, one of the most zealous and distinguished of the former party, "a republic of states, arrayed in a federal union." The dangerous heresy, of which the odious force bill is the first fruit, after having been thus suppressed in the convention, was revived, under the belief that it was the certain and effectual means of fixing on the country forever the unequal, unjust and unconstitutional system which so long oppressed the staple states, and is now placed among the acts of the government for future use; like fetters forged and fitted to the limbs of the states, and hung up to be used, as occasion may hereafter require. If it be permitted to remain there quietly, the time will come, when it will be certainly employed for the use intended; and we may rest assured that an army of fifty thousand bayonets, encamped in the midst of the staple states, would not half so certainly subject them to the will of a lawless, unchecked and unrestrained majority, who would not fail to wage a war under the color of legislation on their property and prosperity, more oppressive and more degrading, than would be a tribute exacted by actual force.

But as formidable, as would be this measure, if acquiesced in, it may be easily overthrown, if promptly and spiritedly opposed, which I may add, would do more to restore the constitution and reform the government, than any other conceivable event. I found my belief, as to the facility, with which it may be overthrown, if properly opposed, on the character of the measure itself, its palpable unconstitutionality, in many particulars; its dangerous tendency; its novelty; the daring assumptions on one side and denial of facts on the other as necessary to sustain it; the absence of any direct and powerful pecuniary interest, (as in the protective system), to support it; but above all, on the deep conviction, which the weaker portion of the union must shortly feel, if it does not already, of a concert of sentiment and action, not only to arrest the measures in question, but to guard against a recurrence of similar danger.

Another, and an important advantage, in this contest, will also result from the character of the measure. It will effectually separate the real, from the pretended friends of state rights—a class that has done the cause of constitutional liberty more injury, than the most open and bitter opponents. To advocate, or support the measure, is to be a consolidationist in the strongest and most odious sense, by whatever profession accompanied, and of course all who advocate and support it, will forfeit all claims to be ranked among the friends of state rights.

Looking to the effects, which must follow its overthrow, we shall find much to animate us in the contest. The point at issue

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is not, whether this or that particular policy of the general government be right or wrong, but whether the general government be a consolidated government, of unrestricted powers, or a federal republic of states, with limited powers—an issue for the first time presented, and on the decision of which depends the liberty and the constitution of the country; and, I may add, the very existence of the southern states. Let us not forget in this great contest, that we are acting, in maintaining the rights of the states, in our appropriate sphere of political duties, and that the due performance is not only essential to our security, but to the preservation of our system of government.

On maintaining the balance between the delegated and reserved powers, as established in the constitution, the success and duration of our novel and complex, but beautiful and perfect system of government, obviously depends. Experience has now shown, where the pressure and benefit of that unequal monied action, which necessarily results from the fiscal operations of all governments, in a greater or less degree, falls. We now know, that the pressure must be ours, as the weaker party, at least in the present condition of the country. To those who profit by this unequal monied action, may be safely confided the defence of the delegated powers: and the passage of the force bill, as well as the history of the last sixteen years, clearly demonstrates that there will be no lack of zeal, on their part, in the discharge of that duty. To us belongs the defence of the reserved powers; and if we but perform that high duty with the same zeal, on our part, the balance will be preserved, and the system be safe. In this conflict, between the two powers, the patronage of the general government will necessarily be on the side of the stronger party, who will be in authority; and let us constantly bear in mind, that this great advantage cannot be countervailed, but by maintaining, in full force and authority the reserved powers and the sovereignty of the states. Nor let us forget, that if the general government and the delegated authority represent our power and majesty, that the sovereignty of the states and the reserved powers constitute the citadel of our liberty.

In this action and re-action of our system, between the two, let us not repine at the part allotted us. If it has its disadvantages, it has also its advantages. What we lose, in a monied point of view, will be more than compensated in a moral and political point of view, if we but properly discharge our duty to our country and ourselves. To restrict the general government to its proper sphere; to guard against the approaches of corruption; and to correct that tendency to despotic rule, so natural to governments of every description; these are the high duties assigned to us, to perform which, the highest qualities, intellectual and moral, are required; but which, if faithfully performed, will certainly be followed by their acquisition—an acquisition in whatever light regarded worth more than the wealth of the world. With great respect, I am, &c. J. C. CALHOUN.

*M. Laborde, J. Terry, and J. P. Carroll, esqs. committee.*

## MILITARY CELEBRATION IN SOUTH CAROLINA.

*From the Charleston Mercury, April 3.*

Notwithstanding the inclemency of the weather, on Monday, the volunteers turned out in force and with great spirit, and made a splendid appearance. The troops consisting of colonel Yeadon's regiment of artillery, and captain Wilson's corps of heavy artillery, the Charleston riflemen, the cadet riflemen, Irish volunteers, Sumter guards, French volunteers, Scotch volunteers, Washington volunteers and Independent greens, were formed under the command of brigadier general Hamilton, in Meeting street, the right resting on Queen street, and the left on St. Michael's alley. They were reviewed by the governor at 12 o'clock, and after also passing in review on the line of march, moved in column up to the citadel, the extensive galleries of which were thronged with a glorious array of ladies, who regardless of the rain which continued with little intermission throughout the day, had early assembled to greet with their smiles those who had manifested such honorable promptness to defend them.

The troops were received at the citadel gate by captain Parker's citadel guard, and salutes being exchanged, they filed into the area and formed in solid column. The governor and suite then presented themselves on the balcony fronting the troops, and the governor addressed the volunteers in a short and feeling address, and after thanking them warmly in the name of South Carolina, concluded by presenting in her behalf a splendid standard which he delivered to general Hamilton. General Hamilton expressed the thanks of the troops, paid a warm and richly merited tribute to the conduct of governor Hayne throughout the recent crisis, and after a brief address to his fellow soldiers, committed the flag to the hands of lieut. Frost of the riflemen, who received it at the head of a color guard. Lieut. Frost in a few eloquent remarks, pledged the volunteers to maintain the honor of the flag in every event. The speakers were frequently responded to by the hearty cheers of the assemblage.

The flag, painted by Mr. Oliphant, is beautifully executed, on a ground of rich green silk, bordered with a deep fringe of white, and the staff surmounted by a golden crescent. On one side are represented the arms of the state (with the mottoes) supported by an armed volunteer, with the word "VOLUNTEERS" in gilt letters above. On the reverse is a beautiful palmetto tree, at the foot of which is a rattle-snake in its warning coil, with the significant motto, "*Noli me tangere.*" Sheltered by the branches of the palmetto are the inscriptions "THE CONSTITUTION" and "THE UNION," and over all, as a crest to the palmetto, and supported by it, inscribed in letters of gold, "LIBERTY—IT MUST BE PRESERVED." Though remarkable for the utmost simplicity of design, the *tout ensemble* of the flag is singularly rich and beautiful, and when the governor unrolled it, at the conclusion of his address, and displayed its glorious folds to the gaze of the assembled multitude, the shout of enthusiasm which rent the air to give it welcome, testified to the admiration with which it was beheld, and gave hearty assurance that its honor will ever be untarnished in the hands of the volunteers of Charleston.

After the ceremony of the presentation, the troops were dismissed to partake of the refreshments which had been amply provided for them by their officers, in the spacious hall beneath the arsenal. The line was afterwards formed, and a salute of 124 guns being fired by the artillery, the column marched down to Broad street, and the troops were dismissed at about four o'clock in the afternoon.

On the whole, notwithstanding "the melting mood" of the atmosphere, the effect of this most gratifying exhibition, was highly imposing and splendid. All the uniform volunteer corps turned out in their strength, and displayed the most praiseworthy discipline.

We observed that a morning paper, greatly underrating the actual number of men under arms, has indulged in some pointless sneers because they did not amount to "*thousands.*" It is unimportant whether the writer of that senseless article knew the fact or not, that the order for the review embraced only that portion of the city volunteers, who had been formed into *uniform* companies, amounting in all to about 500 men. All that portion of the volunteers in *the beat companies*, who have not uniformed themselves, were not ordered out. We will state, however, for the information of our union friends, that the number of volunteers in the city, reported to the brigadier general after a careful estimate, amounts to upwards of *thirteen hundred*, a very good number when we consider that the union party of Charleston, unlike their *patriotic* political associates in several of the country districts, had almost without an exception held back in the trying hour, and refused to proffer their services to South Carolina. Taking these things into consideration, nothing but blind prejudice or wilful falsehood, can deny that the parade of Monday, was such as to gratify the pride *of every Carolinian*, as well for the numbers, as for the military bearing and admirable performance of the soldiers. The "*paternal*" state of the elements was not without its good effect, for though it was sufficient, as the union papers tell us, to cool the ardour of less patriotic men, it had no other influence upon the Charleston boys, than to indicate their fine spirit. Perfect satisfaction and undiminished cheerfulness, pervaded all ranks—and the inconveniences of the day were either altogether forgotten in its pleasures, or only served for matter of good humored amusement. The union press is mistaken in supposing as they do, that the spirit of the nullifiers would be *damped* by a repetition of such duty. We believe that without exception, they would like to go through many similar campaigns. We believe they can *stand water*, as we are sure they can *stand fire*. The whole affair went off admirably, and will long be remembered with pride and pleasure by the volunteers.

*From the Charleston Mercury, April 4.*

*Presentation of the standard.*—We have the pleasure of laying before our readers the addresses of gov. *Hayne* and gen. *Hamilton*, on the presenting of the flag to the volunteers, on Monday. We regret that we cannot accompany them by the speech of lieut. Frost, for which we applied, but that gentleman declined publishing it.

### ADDRESS OF GOVERNOR HAYNE.

*On presenting the standard to the volunteers.*

*Fellow citizens*—It is impossible for me to express the satisfaction I have derived, from seeing this day the *volunteers of Charleston*—all well armed—well disciplined—and in the language of our glorious motto, "prepared with strength and courage." Who is there that can survey this proud scene, and not feel that the sure defence of free states is to be found in the courage and patriotism of their people? Where are the myrmidons of power, who could hope to prevail against the strong arms and stout hearts of freemen,—animated by a noble enthusiasm in the cause of liberty,—and inspired by a holy zeal in defence of their altars and their firesides.

Arrived fellow-citizens at a most interesting crisis in our political affairs, it may be well for us to take a brief retrospect.—But a few months have passed away, since South Carolina was environed by difficulties, and beset by dangers. Having taken a noble stand in defence of the rights and liberties of us all, instead of receiving sympathy and support from those whose interests are identified with her own, she was (with a few honorable exceptions) coldly abandoned to the *tender mercies* of the federal government,—backed by our *army* and navy heretofore sustained by the voice and supported by the treasury of the south, and now for the first time in our history used as an instrument of despotism, and directed to wield their arms not against the enemies of their country abroad, but against the bosoms of their own brethren.

Threats of military and civil vengeance, were loud and deep, and to add still darker shades to the picture—the impression had been created,—I would fain hope without sufficient foundation, that the first blow struck by the federal arm, was to be signal of a desolating civil war. In this condition of things—infinitely more appalling to the heart of the patriot, than the bloodiest

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foreign war; and as well calculated, I must think, to try the souls of men, as the darkest scenes of the revolution, did South Carolina *quail?* Did she "humble herself in dust and ashes," as it was predicted that she would, before the proud oppressor? Did she yield obedience to the haughty mandate which commanded her to "tear from her archives" her solemn decrees? on no! Thanks be to God! the spirit of liberty was not yet extinct in the bosoms of the *sons* or *daughters* of Carolina. They had not forgotten the lessons taught by a glorious ancestry, that liberty and life, are inseparable in the bosoms of the brave and the free. A few of the venerable relics of the revolution still lingered amongst us, in whom the spirit of '76 not merely survived, but was seen burning brighter and brighter to the last. Unsubdued by difficulties, unappalled by dangers,—the people of South Carolina taking counsel to their own brave hearts, and consulting the interests, and the honor of the state *met the crisis like freemen;* and Carolina, instead of crouching at the footstool of the oppressor, rose in her native majesty, and like our own eagle, "towering in his pride of flight," bid defiance to the tyrant's power. With a promptitude, *unanimity* and zeal, which if ever equalled, has surely never been surpassed, the people of South Carolina, at the first trumpet call, flew to her standard and voluntarily devoted their lives and fortunes to her defence. There is something in an honest, manly and unfaltering adherence to principle, and a fearless performance of duty, which commands the respect of mankind, and all experience has proved that the best way to avoid danger is to be prepared to meet it. Fellow soldiers—you and your brave compatriots in arms, the volunteers of Carolina, and I make this declaration from a deep conviction of its truth, *have saved the state,* and are entitled to the honors of a civic triumph.

If we have not been involved in all the horrors of civil war—if our streets have not been deluged with blood—our dwellings wrapt in flames, and our fields devastated, if instead of mourning over the desolation and ruin which follow in the train of invading armies, and are the bitter fruit of civil strife, you are now permitted to rejoice with honest exultation at the new and improved condition of our affairs, and the cheering prospect before us—we are indebted under heaven for all this to the undaunted spirit of our people, to our *twenty thousand patriotic volunteers,* who have held themselves in constant readiness to repel invasion, and were known to be prepared to lay down their lives in defence of the sacred soil of Carolina.

Whatever difference of opinion may exist as to the precise character of the new tariff, great indeed has been the gain—inestimable the advantages purchased, as we believe chiefly by your virtue, firmness and patriotism. Is it *nothing* fellow citizens, for a single state to have stood up unaided and alone in *defence of her rights* against the colossal power and patronage of the federal government? *Nothing* to have roused the attention of the whole union, before it was too late, to those great fundamental truths, on the final establishment of which must depend the preservation of the constitution and the union? Is it nothing to have arrested the progress of the miscalled American System, that vile scheme of robbery and plunder, by which, under the color of law, the proceeds of your labor and capital are transferred to others, and to prevent it from becoming the settled policy of the country? Is it *nothing* to have obtained a distinct recognition of the principle—aye, and to have it recorded in the statute book—*that the duties shall be eventually reduced to the revenue standard,* and *that no more money shall be raised than may be necessary to the economical administration of the government*—thereby destroying at one blow the *prohibition, minimums,* specific duties, and other fraudulent devices, constituting the very life blood of the protective system? And finally is it nothing that by the promised reduction of the duties, a fatal blow will be given to those extravagant and unauthorised appropriations of the public money by which one portion of the people are robbed that others may be corrupted? It is impossible for any one not to see, that these *are* great and valuable achievements, and if there be any by whom they will be more highly esteemed from denying to Carolina any agency in producing them, BE IT SO. We feel conscious that we have done our duty honestly and fearlessly—we have stood by our country in the hour of her trial; we have adhered to Carolina through good report and evil report—and for the rest, we know that posterity will do us justice. We have fought the good fight—God has given us the victory—we will not quarrel about the distribution of the honors, and if our country is permitted to enjoy its fruits, let who will take the spoils.

I am now fellow citizens about to perform a most grateful office. I am about to confer upon you as the chief magistrate of this state the most distinguished token of public approbation, which it is in my power to bestow. The state has through the convention declared her sovereign will, that in the present aspect of our political affairs, the existing organization of the volunteers shall be maintained, and I have this day issued orders to that effect, which will be read at the head of your respective companies. Congress has committed another bold, and daring usurpation on the rights of the states, by the passage of an act commonly called the *force bill.* While that act shall remain unrepealed upon the statute book, and the principles it embodies and sanctioned by those who are entrusted with the administration of our national affairs, there can be no safety for the rights of the states, but in being constantly prepared to defend them "at any and every hazard." We trust that public opinion will, ere long seal the fate of that bill, and that it will perish amidst the universal execrations of the people. But while the principles are abroad against which we are struggling let me tell you, that we hold all our rights by no other tenure than that "eternal vigilance" without which we are told liberty cannot be saved.

Influenced by these views, as an honorable reward for past services—and incentive to future exertion, I now present to the volunteers of Charleston through your commander, brigadier general Hamilton, THIS STANDARD bearing the arms of the state, with this solemn injunction, that as *citizens* and *soldiers* you will always cherish in your hearts, and exemplify in your lives, the noble sentiment which is emblazoned upon its folds, "LIBERTY, IT MUST BE PRESERVED."

GENERAL HAMILTON'S REPLY.

Gen. Hamilton on receiving the standard replied as follows:—

"On the part of the volunteers of Charleston, I accept with sentiments of profound gratitude, and with feelings of the most lively satisfaction, the proud and gorgeous standard which *your excellency has* been pleased to present to us in the name and behalf of the state of South Carolina. To have received at your hands, this soul stirring banner, infinitely enhances its value.

"Who so fit sir, as *yourself* to present to us this donation? You, who in the dark hour of a starless night, when South Carolina seemed deserted by the whole world, *rent in twain by dissentions among her very children* whose only rivalry ought to have been who could have loved and served her best, stood at your post of duty, cool, collected and undismayed:—yes, at that very moment when our city was beleaguered by a standing force, whose valor and prowess we had vainly supposed, could only be turned against the common enemies of the country—when the national legislature, who with equal delusion we had supposed were the guardians of the public liberties of the country, were seen catering for the malice *of an infuriated despot,* and from the fragments of a broken and violated constitution, were arming his hands that he might wreak his vengeance, not only on the bosom of those who had largely contributed to place him in power, but that he might even strike the spot of his birth, the land where he first saw the light of heaven.

It was at a period like this, I surrendered the executive of the state, comparatively defenceless, into your hands; with scarcely a cannon mounted or a musket equipped for the field, our arsenals empty and hardly powder in our magazines to fire an ordinary salute. You, however, met and vanquished the crisis. Applying the resources of your sound judgment and enterprising spirit to this exigency in the short space of one month, we had ammunition enough to have blown up every public building and every private dwelling in the capital of *this confederacy,* the materials for all arms of service were collected with unexampled dispatch, for equipping five thousand men for the field to begin with—and preparations we know were in progress for arming our whole volunteer force. *Your heroic call was responded to from the mountains to the ocean, and thrilled and reverberated throughout our land.* It must have indeed been to you one of the most cheering of all possible circumstances, that the force in arms was equal to the whole number of the suffrages which our party rendered at the ballot box, when by a victorious and overwhelming majority they recorded their heroic determination no longer to submit to oppression.

It does not become me, still less the brave men whom I have the honor to command, in a spirit of vain boasting, to predict what would have been the issue of the struggle into which we would have been hurried, but for the recent adjustment of our controversy with the general government. A long and uninterrupted peace had rendered our hands unused to the implements of war—without pretending to much science in this art, we should at least have tried to do our duty to our country. One thing, sir, is quite certain, when the tug did come, if we had allowed the enemy to have occupied more of our *territory than was necessary for us to bury their dead,* the very spirit of our fathers would have spoken from their graves and rebuked our degeneracy.

We are cheered by the determination your excellency has announced, not to disband the volunteers of South Carolina whilst the force bill is suspended over our heads, however idle its brute thunder. We respond cordially to your patriotic sentiments on this subject, and one and all declare, let us remain in full organization with arms in our hands, until, in the language of our own highly gifted and highly cherished statesman, this law, "gashed with dishonorable wounds, is torn with disgrace from the statute book." Allow me to renew to you again, sir, my profound acknowledgments for this inestimable donation, and to assure you that under the ægis of our own palmetto, it shall never be tarnished.

General Hamilton then turned to the troops and addressed them as follows:—Fellow soldiers! This banner is committed to our guardianship. Although a civic triumph has followed our recent struggle for the preservation of our rights, and a comparative calm now settles on the surface of a community lately so deeply convulsed; yet it is impossible from causes so fearfully at work in our federative system of government, to tell how soon this tranquillity may again be disturbed. Every man who loves his country must wish the bright stars which form the constellation of this union, may long shine in its firmament in blended justice, harmony and peace. But this blessing is not under our control. If in the inscrutable dispensations of Providence, it should be willed otherwise, *look out for this banner.* "You will see it waving in the pathway of honor and duty," bearing on its ample folds the effigy of that glorious tree, whose invincible shaft lifts high its verdant top to kiss and greet

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the earliest light of heaven. Consecrated here in the thronged presence of that better part of God's fair creation, whom the vow of manhood compels us to defend, and the very sacrament of our nature leads us to love, honor and adore, let us swear that it shall never be dishonored.

*Ensign Frost! To your hands this standard is committed.* In placing it in your possession, I know that it is confided to one whose patriotism enables him to appreciate the proud and cheering associations with which it is connected, and whose valor will defend it, bright and stainless from reproach. Long may it wave, the emblem of our past triumph, and the incentive to renewed glorious and untiring efforts for our country.

THE VOLUNTEER BALL.

This magnificent pageant was given by subscription amongst the volunteers of Charleston, in honor of the principles of *state sovereignty*, for the support of which they had enlisted themselves on the muster rolls of their beloved and oppressed state, whose sacred soil they had armed themselves to defend against the threatened violence of a parricidal tyrant. A late entertainment having been given by the party who oppose their state, to the officers of the federal government sent to enforce the tyrant's will against the authorities and citizens of Carolina; and the elegance of that entertainment being the subject of much eulogy amongst these *patriotic* gentlemen, it was determined by those who were true to their state, that such a festival should be given as to prove them no less superior in the *fidelity of their allegiance*, than in the *taste and splendor* of their festivities. The time fixed upon was the evening of the 27th of March, and the place selected was the extensive area and spacious rooms of the citadel. As the ball was a military one in its character the *locale* and the martial decorations with which it was adorned, were in tasteful and appropriate keeping with the occasion. This immense edifice being constructed in a quadrangular form, encloses an open space of about 160 feet by about 65 feet, including its extensive piazzas. This enclosure was covered over at the top, with a canopy of canvas, and the ground floored over for the dance and promenade.—Around the interior of the area were erected colossal pillars of the *Doric order*, supporting at the centre their floor of extensive corridors and at their summit the eves of the roof. The broad projection in front of the building, formed on each side, and above the gate way, was brilliantly illuminated, as was each of the pillars around the interior, with vareigated lamps arranged in fanciful and picturesque forms. A large transparency of the *arms of the state* was placed immediately over the entrance, and presented a beatiful and dazzling appearance to those who approached the building. Upon this transparency was inscribed in broad and conspicuous characters, the motto of "*NULLIFICATION THE RIGHTFUL REMEDY.*" At the base of each column surrounding the interior, to the number of twenty, a pyramid of cannon balls was constructed; on the capitals of each the name of a state rights and volunteer district was inscribed; and at the centre of each column supporting the corridors, was fixed a semi-circular frieze of muskets enclosing and sustaining on each side of the respective pillars a large standard whose ample drapery was tastefully gathered and bound at the staff, and projected above in graceful folds. In corners of the space enclosed, were placed eight beautiful pieces of brass ordinance, medallions bearing patriotic devices and inscriptions, in honor of state rights principles and distinguished statesmen, were suspended between the columns, and at intervals throughout the entire building. These medallions were bound with wreaths of evergreen and flowers, which were also hung in beautiful festoons from the cornice of the roof and galleries, under which benches were arranged for the accommodation of the ladies. In addition to the numerous variegated lamps which were hung around the pillars and the ballustrades, chandeliers were suspended at equal distances above and below the floor of the galleries, and lofty pyramids of lamps erected in each corner of the enclosure, so that a flood of light was cast over the whole of this festive scene. Directly opposite to the entrance was erected a spacious orchestra, with Gothic arches, adorned at the base with piles of cannon balls and rows of muskets, and at the summit with festoons of drapery and evergreens. On each side of this orchestra was planted a lofty palmetto tree, whose graceful foliage concealed from view the musicians of two excellent bands, and gave to the swell of their harmonious strains the semblance of music issuing from the cherished boughs of our honored palmetto.

Behind the orchestra, in the spacious artillery room, extending almost the entire length of the edifice, were laid four tables of similar length, for the abundant supper provided for the company. On the second floor of the building, the extensive armory was brilliantly illuminated with chandeliers and innumerable candles inserted in the muzzles of the musketry, and adorned with wreaths and festoons of evergreen, intertwined with the arms, which were arranged in various forms along the sides of this immense saloon, producing a most brilliant and dazzling effect upon the eye of the spectator. The numerous apartments opening into the corridors were lighted up and thrown open for the accommodation of the company as card rooms and wine rooms for the gentlemen, and occasional sitting rooms for the ladies.

The company were received on entering by the managers, and the ladies conducted to the seats prepared for them until the dancing and promenading commenced. The floors were decorated with various figures, dividing off the spaces allotted to each cotillon and quadrille. At the appointed hour (half past 7) the company began to assemble, and in less than an hour the vast hall of the area was crowded to excess. At half past eight, the governor entered with his suite, announced by a flourish of trumpets and a flight of rockets and shells from the open grounds on the exterior of the citadel. The promenading and dancing were then commenced, and continued in succession during the whole evening, with the occasional handing of refreshments, until half past three in the morning, when the company retired, much delighted with the amusement of the evening.

The *coup d'œil* presented by this brilliant scene was such as can scarcely be surpassed. The effect from the galleries was peculiarly beautiful, and appeared to call forth the special admiration of the ladies, who in walking round the corridors looked down upon the gay scene beneath, as one of fairy enchantment rather than of bright reality.

The vast concourse of splendidly dressed ladies and of gay cavaliers in their military costumes, winding through the mazes of the dance, presented the appearance of an eastern gala, in the halls of some gorgeous palace, during the days of chivalry and romance.

The combined effect of the various and magnificent decorations, of the dazzling lustre of the lights, and the vast space over which the eye of the spectator wandered, in gazing from one end to the other of this splendid and capacious saloon afforded a spectacle, such as we venture to affirm, has never been seen in America.

The number of persons present amounted to nearly 3,000, and no entertainment was ever conducted with greater propriety and order.

The following is a list of such of the mottoes as we could procure from the various medallions and transparencies.

"NULLIFICATION
THE RIGHTFUL REMEDY."

"PARAMOUNT ALLEGIANCE
TO THE STATE."

"ROBERT Y. HAYNE,
GOVERNOR OF THE STATE OF SO. CA.
"Let others desert her if they can—Let them revile her
if they will—I shall stand or fall with Carolina.
In 'weal and in woe'—through evil re-
port and through good report,
I go for my country."

JOHN C. CALHOUN,
THE GREAT LUMINARY OF THE SOUTH:
"He'll leave his lofty name,
A light and landmark on the cliffs of fame."

STEPHEN D. MILLER,
"The ballot box—the jury box—and the cartouch box."

GEORGE WASHINGTON,
THE FATHER OF HIS COUNTRY.

GEN. THOMAS SUMTER,
The "Game Cock" of the South, whose last crow was
for liberty.

RESISTANCE TO TYRANNY,
IS OBEDIENCE TO GOD.

JAMES HAMILTON, JUN.:
EX-PRESIDENT OF THE STATE CONVENTION,
The Bayard of South Carolina—Without fear and without
reproach.

GEORGE McDUFFIE:
The heart of Hampden, and the tongue of Henry.

WILLIAM HARPER.
"We can add nothing to his fame,
For panegyric sinks below his name."

On a handsome urn was inscribed, in a conspicuous position—

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SACRED TO THE MEMORY
OF
THOMAS JEFFERSON.
*4th July*, 1826.

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"Recorded honors shall gather round his monument, and thicken, over him. It is a solid fabric, and will support the laurels which adorn it."

GEN. CHS. C. PINCKNEY,
Millions for Defence—but not a cent for Tribute.

GEN. THOMAS PINCKNEY,
His Head was the temple of wisdom—his Heart the sanctuary
of virtue.

WARREN R. DAVIS AND ROBERT W. BARNWELL,
Two of Carolina's brightest Jewels.

WARREN, BAKER AND HAMILTON,
NULLIFIERS in '76 and in '33.
In youth and old age, alike devoted to the holy cause of Liberty.

ROBERT J. TURNBULL.
The Roman Brutus struck with a Dagger for the Liberties of
his country—the Carolina Brutus uplifts the invincible arm of Reason and of Truth.

LIBERTY.
"'Tis sweeter to bleed for an age at her shrine,
Than to sleep for a moment in chains."
"Freedom's battle once begun,
Though baffled oft is ever won."
"Breathes there a man with soul so dead,
Who never to himself hath said,
This is my own, my native land."
"Whether we stand or fall, survive or perish, it shall be
With Freedom's soil beneath our feet,
And Freedom's Banner streaming over us."

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 9—VOL. VIII. BALTIMORE, APRIL 27, 1833. [VOL. XLIV. WHOLE No. 1,127.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The speech of the venerable *Lafayette*, in the French chamber of deputies, concerning the violation of the rites of hospitality, at his house, at La Grange—has all the "fire of the flint" of the *American* revolution. He is, indeed, a wonderful man—and seemingly preserved, as if by miracles, for a guide and pattern, a beacon or a light, "in these our days."

☞Having, in the last number of the REGISTER, given the full and formal account of the grand military celebration and ball, in honor of nullification, at Charleston, South Carolina, including all the flourishes of trumpets, and other *wind* instruments used on that august occasion—we now insert another account of the affair, from the graphic pen of the editor of the "Portland Advertiser"—whose correspondence from Washington was so much sought after, and extensively published, during the late session of congress. We think that most of his "hits" are perfectly fair—and may be properly presented by way of offset to the pompous and awful statement which we have preserved concerning the things that had happened because of the gathering of *five hundred* volunteers, under brigadier general Hamilton, "commanding the *state troops* at Charleston."

☞It will be seen by a brief notice of the decision of the circuit court of the United States, for the district of Columbia, that Dr. *Watkins* has been discharged from his long, and cruel, confinement. Of the measure of *punishment* awarded, because of offences committed by this unfortunate individual, few persons complained—even though many believed that such punishment was inflicted with a severity beyond the law; but the proceedings had against him, subsequent to the expiration of the imprisonment to which he was sentenced because of the *criminal* part of his conduct, have excited a generous sympathy; for these proceedings were founded only upon a simple matter of debt—which, though it might have been incurred in crime, had been legally relieved of *that* part of its character in the punishment imposed. We are of those who never believed that Dr. Watkin's intended to make a permanent appropriation of public money, illegally, to his own private use—but his acts in this case cannot be further palliated or excused, nor has the penalty inflicted been found fault with. For years past, however, he has been closely and austerely imprisoned, because of a mere plea of debt—which it was perfectly known that he could not pay; and we rejoice in his release, that he may again mix in that society which he was so well fitted to adorn—and, in a rigid performance of all the duties of husband, father and citizen, lead all men to forgive, if all cannot forget, his momentary aberration from an honorable course.

We shall, probably, insert the opinion of the court at full length. It may become highly important to gentlemen of the bar, because of proceedings yet to be had—for that Dr. Watkins will claim damages, because of an imprisonment pronounced illegal, must needs be expected.

INTERNAL IMPROVEMENTS AND PUBLIC DEBTS. We give place to a long and highly interesting report made to the house of representatives of Pennsylvania, on the state of the finances—less because of the information which it will afford to the people of that commonwealth, than on account of the instruction which it conveys to every thinking citizen of the United States. We are not prepared to say, for we do not believe, that *every* public work undertaken by Pennsylvania—road, canal and bridge, was wisely commenced and at the most proper time. Some, perhaps, have been authorised that *votes* might be obtained in favor of others,—and certain, of questionable utility, may have received the legislative sanction, that particular improvements, of undoubted importance, should be vigorously pursued; and we are also inclined to think that a sound economy would have directed the power of the state to the doing of fewer things at a time—by which it is probable that large sums expended for labor, or paid on account of interests, might have been avoided; still the general policy adopted and pursued will cause prosperity to abound; and millions disbursed, though not returning one per cent. to the treasury, may have been very profitably invested. The fears of some as to accumulations of a public debt, and the "glory" of others because that such debt has been reduced in their day, may be equally discreet or equally absurd—equally becoming the statesman, or equally suited to the prattle of an infant. When a debt incurred fairly represents a value obtained, it cannot be regarded as an incumbrance, even on an *individual;* but it is often wise in a *state* to incur a debt which shall yield no return to the treasury of the state, for its own liquidation—because of advantages conferred on the citizens of the state, whose aggregate of private wealth is the best possible evidence of public prosperity, and presents the surest means to satisfy demands on the treasury, as they shall occur—all kinds of private property being liable to public requisitions. "Financial prosperity," as it is called, may just as well shew national adversity as national success. The sage says, that "an *armed* people, and *unarmed* magistracy, is one of the best guaranties of liberty;" and so a low treasury and a wealthy population, may offer to the philanthropist the perfection of political wisdom. It is no matter what may be the amount of the debt of a state, or how low the state of its finances, provided that the money obtained has been expended in rendering solid benefits to the people of the state, because they can return it—and it is their duty, as well as their interest, to return it cheerfully, when needed. By certain of the improvements mentioned in the report before us, a "barren mountain," which *had* been as valueless to Pennsylvania as though its location were on Terra del Fuego, has been made to produce a business worth six hundred thousand dollars a year; which, in one way or another, is not only substantially added to the general wealth of the people of the state, but spreads itself, and CIRCULATES, and gives new spirit and life to other branches of business equally important—the profits on *all* which, interlocked together, constitute the resources of the state; and debts incurred, because of such *creations of value*, may be redeemed, whenever it is thought that the principal, scattered among the people, is less beneficial to *them* than the payment of interest is burthensome on the *state:* but until then, we regard it as both improvident and unwise to pay off such debt, unless in conformity with engagements that have been entered into. The richest lands, covered with the most valuable timber, or most luxurious harvests, may be comparatively worthless, because of charges for transportation to market. Some years ago a gentleman of Illinois informed us, that he had been compelled to grow and thresh twenty bushels of wheat, and expend the labor of one man and two horses, two days, in sending it to market, to obtain the five dollar bill which he remitted on account of his subscription to the REGISTER. And so it is that millions on millions of cubic feet of valuable timber have been destroyed by fire, as incumbering the ground—and millions of bushels of corn been suffered to waste on the fields where it grew—because that timber and grain would not bear the costs of transportation to market. If wheat, for example, being the staple product of a farmer—(that on which he relies to obtain *money*, certain sums of which he must have, in the present state of society), because that some road or canal has been made, [or on account of a manufacturing village which has been built and peopled], can be sent to market for 12½ cents less per bushel, [after paying the tolls, &c.] than theretofore—the farmer as much gains 12½ cents on every surplus bushel of wheat grown by him, as though its *price* were permanently advanced in that sum; and yet, such is the perversity of the human mind, or the gross amount of stupidity which prevails, that thousands would complain (in the case stated) if a *tax* of 6¼ cents were assessed on a bushel of wheat so carried to market, though the com-



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plainants were certainly benefitted in the same sum—for avarice will not acknowledge, nor folly see, that *money price* has relation to *real value*, only in the *means* afforded for paying that price. A large part of the people who inhabit the "crust" of this earth, seem to be as ignorant of this principle as they are of persons and things in the interior—no one having entered into and returned from capt. Symmes' "hole" to inform us of the state of affairs within. Foreigners often speak of high prices in our market, and they are excusable until they have had time to *measure* them by wages received or profits otherwise earned. Irishmen, when just landed, are oftentimes frightened when the equivalent of three or four shillings sterling is demanded for a bushel of potatoes, such as they might have obtained, at home, for less than one shilling. But because that potatoes have often sold for one dollar a bushel in our cities, equal to 5*s* Irish, we have not heard of any general want of food—yet in Ireland, when their price did not exceed 20 cents, or 10*d*. Irish, the bushel, hundreds of thousands of persons were in a state of actual starvation, and tens of thousands really died because of the mere want of potatoes. If the principle here stated had been understood by the people generally—there would never have been much opposition to internal improvements or domestic manufactures—because of their intimate connexion with agriculture and commerce. As examples,—the consumption of wheat (produced in the middle, southern and western states), by the working people of the eastern states, has been increased ten fold since the establishment of manufactories in the latter; and their whole demand for bread stuffs, so produced, is now probably about equal to twice the average amount of the whole foreign exportation, *so that the eastern consumption fixes the price of the entire quantity of wheat or flour made for sale*—and, it may be reasonably supposed, adds at least one dollar a barrel, thereby causing an INCREASED money price, or profit, to grain growers, in the large sum of ten or twelve millions of dollars a year—for it is manifest that, were those manufactories destroyed, New England would be driven back to the former state of things—when only the wealthy, as it were, consumed southern and western flour, because they only could pay for it; and the working classes, instead of being *consumers* of the bread stuffs of the south, would be driven into the necessity of *producing* them—and thus the wholesome interchanges of commodities which at present exist, and so powerfully add to the general wealth and happiness of the people of the United States, would cease; and, among other things, 150,000 tons of coasting vessels be thrown out of employment, their crews being compelled to make their own bread. New England now receives from other states, not less than the equivalent of two millions of barrels of flour a year. Her consumption, before the war, was hardly two hundred thousand. And so as to cotton; the states north of the Potomac, now using about 300,000 bales of cotton, of 300lbs each, *create a larger demand for that staple than is that of all the rest of the world, England excepted;* and it is well known that this home demand, for several years past, has fixed the price of cotton considerably higher than the first orders of English merchants allowed to be paid for the crops. With such facts before us, the advantages of the *home market* cannot be misunderstood; and if it is so that the farmer receives a dollar extra on every barrel of flour which he sells, because of the manufacture of cloth in New England—he can afford to pay three times more for eastern-made cloth than for that manufactured in Old England—because that he cannot pay for the latter with his flour, if put down to the lowest possible rate at which it can be made, instead of finding a safe and steady market for it at the high price.

Public debts are often compared with those of individuals, and are thought by some to have exactly the same character. This is a great mistake—and may be a fatal error. Individuals die—states do not. The profits of individuals are in selfish accumulations of wealth; but the profits of states have no sort of relation to the amount of money which remains in the treasury. If an individual expends 1,000 dollars on account of any thing which yields him no interest—the money is lost to him; but if a state makes some improvement which costs 1,000 dollars, yet not expected to return one dollar for interest into the treasury, the investment may be highly productive, because of an increased value given to the property of individuals, subject to taxation. The expenditure of ten millions on the canals of New York has added one hundred millions to the value of property of that state; and if those individuals who have been benefitted were called upon to pay the whole expense of the canals, they would still be gainers in the sum of ninety millions of dollars. The canals, if the property of individuals, must produce an interest on the money invested, to render them profitable; but the state may do away with the tolls altogether, and pay out of its treasury even the cost of superintendence and repairs, and still make these canals profitable, in causing the existence of a greater amount of assessable property—*the wealth of the people constituting the wealth of the state.*

A public debt may be either a national blessing or a national curse. Prejudice or passion—grave expositions in legislative assemblies, or senseless bawlings at electioneering meetings, cannot change the principle of things. A public debt may be wisely incurred, or unwisely paid off: but never unwisely incurred, if producing corresponding benefits to the people—or wisely paid off, if its amount, retained in the hands of the people *or returned to them*, is worth more than the sum of the interest which is payable on such debt. The rule, in this instance, will as well apply to individuals as to states. If a person is making six per cent. on a capital which he had borrowed at three per cent. his thriftiness would not be much admired should he pay off that capital—undesired by the lender of it, and without any moral or legal obligation to do so; but if his gains were less than three per cent. he would return the capital, of course, if he could. And yet, out of a sheer vain glory to pay off the national debt, we have seen a proposition seriously entertained of selling the stock of the bank of the United States, which yields six per cent. for the purpose of paying off an undemandable debt on which only three per cent. was chargeable. AND MANY THERE WERE WHO HUZZAED THEREAT!

What is called the "national road" has cost the U. States, let us say, three millions of dollars. This is lost to the treasury, at Washington; but the people of the United States gain not less than a million a year, on account of the reduced cost of transportations because of this road. The money then, expended in making the road, though it does not return one dollar into the treasury, is worth thirty-three per cent. per annum to the people; and the saving thus made to them is so much added to the amount of taxable property, or, at least, contributes, in its whole sum, to the general happiness.

There is another matter of no small consideration, when money is borrowed by the public for wholesome purposes: those who lend make a convenient and safe and profitable investment; and those who borrow cast it into the circulation. An extra million thus thrown among the business-people of a state, is turned and turned and turned, and perhaps does the work of twenty millions, if remaining in first hands. The working people pass it round rapidly, and it does good to somebody at every turn—the capitalist gives it only a slow motion, and the range of its benefits is confined to a few. In demonstration of this it may be mentioned, that, during a part of the time when the New York canals were being made, the rich state of Pennsylvania was in an atrophy, for want of a circulating medium—but the western parts of New York were full of bustle and business—and money. The difference between a slow and rapid movement of money, should be well understood by every one. There is an old and true saying, that "a nimble six pence is better than a slow shilling." As then, the borrowing of capital has a general tendency to made money "plenty"—the refusal to borrow, or hasty returns of capital borrowed, may make money "scarce." It may be as much a sound economy to borrow, as to repay. Had the United States made the Erie canal before the late war, and rendered it toll free for ever, double its cost would have been saved in charges for transportations only—to say nothing about the loss of life and amount of suffering endured by our gallant army on the northern frontier, and the procrastination of hostilities in that quarter.

But now and then a *mania* prevails to pay off a public debt—and great credit is given to persons who have just the same merit in the matter as the errand boy in the office of the REGISTER, who often takes up a note at the

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bank; but the boy has not yet said, we believe, that *he* paid 500 or 1,000 dollars for the editor! If we had caught him in an act of childishness, we might have taken him on our knees, and said—

"Little Jackey Horner,
"Sitting in a corner,
"Eating a peice of Christmas pye;
"Who poked in his thumb
"And pulled out a plumb,
"And said, *what a great man am I.*"

Telling him, that if *we* had not provided the money, he could not have paid the note, any more than "Jackey Horner" have pulled out a "plumb," if somebody had nt put it into the pie! We have not heard of a president of the United States, or secretary of the treasury, who has given has own money, or abated one cent of his own salary, to pay off the national debt, and *guess that we shall not.* Until that happens, the president and secretary deserve no more credit for paying the debt than is due to the errand boy for the safe carriage of our money to bank, and because of an application of it, as *ordered*—instead of losing it on the way, or expending a part of it for gingerbread and molasses beer—to satisfy his own appetite for sweet things, or quiet the cries of some filthy urchin bawling for pap—pap—pap.

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THE CHOLERA. The amount of deaths reported at Matanzas has been exceedingly exaggerated. Instead of two hundred a day, they have hardly amounted to twenty; and the latter would seem pretty severe in a place containing only about 10,000 inhabitants.

Deaths at Havana, April 2—about 80. Another account of the 5th, puts the number down at five hundred!

Many cases of cholera have appeared at Key West The garrison and many of the inhabitants had left the island for the main land.

This fearful disease has broken out afresh in Ireland. On this subject the New York Commercial Advertiser says—Agitated by demagogues—assailed, plundered and kept in constant terror by the Whitefeet marauders—impoverished by absentee landlords—borne down by poverty in all its forms of destitution—and threatened by the government with military law in place of the ordinary tribunals of civil justice, the miserable people of Ireland are now suffering under the awful scourge of the pestilence. The details are appalling. "Never," says a letter from Limerick of the 15th of March, "was there any thing like the state of the surrounding country. The cholera has spread all around. The reverend Mr. Noonan, curate of Knockany, was here to-day to purchase coffins, there not being hands enough in that place to make them. At hospital to day, the parish priest and twelve of his flock are dead of cholera. Forty persons were attacked last night with the pestilence, out of which the above number fell in a very few hours to its malignant fury. Poor Dr. O'Connell said mass yesterday, and appeared to enjoy excellent health. The manner of his death (being taken off in three or four hours), has created a general feeling of regret and consternation through the surrounding country. Kilmallock, too, is nearly as bad. Bruree is totally deserted; Fedamore attacked at all points; the rev. Mr. McCarthy, the parish priest, and his coadjutor, have been called out of bed to attend the sick and dying, eleven nights in succession. In short, the panic through the country far exceeds any thing within the memory of man."

Kilmurry, Ibraickane, and Seafield, in the county of Clare, have been likewise visited with the disease; and as if to provoke its rage, the deluded inhabitants refuse to go to the hospitals where every necessary is provided, but perish in their own miserable dwellings. Upwards of sixty deaths out of seventy-three attacked, have occurred in Kilmallock. Of those who were affected, seven remained under treatment, and only six have recovered. In several other places in that part of the kingdom, the disease was extending.

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GOOD OUT OF EVIL. The following is extracted from an ordinary business letter to the editor, from one of the most industrious and thriving citizens of [West] South Carolina.

"Although I am sorry to see you, among other friends of 'American industry,' *despairing*—yet I am more than gratified to find the rapid advancement of the principles of the system in this section of country. Six years ago, I stood alone and unaided on the subject; but now, wherever I turn my eyes I find minds of congenial feelings and principles; and I still hope to see the day when all the upper country of this state, or at least majorities in each district, advocating the principles you have so long contended for. The man who now advocates a 'protective tariff' here is in no danger of a coat of tar and feathers, as a few years ago was the case. The late great political excitement has aided much to enlighten the people, by causing them to examine for themselves."

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STEAM ENGINES. The "Pennsylvania Advocate," published at Pittsburg, says—We learn that F. A. Bemis & Co. of this city, steam engine makers, manufactured, and a few days ago forwarded to Greensboro', North Carolina, *via Baltimore*, a steam engine for a cotton manufactory, to be erected in the town of Greensboro', in North Carolina! This incident, is worthy of notice, for two reasons—first, for the reason that our engine makers must be greatly superior to those in the Atlantic cities, else the expense of transportation would be saved—second, it shows that the manufacturing system is attracting attention even in a slave holding state.

[☞This brings to recollection an admirable *"free trade" fact*—which is thus referred to in the very interesting and able report of the committee of the New York Convention concerning manufactures of iron and steel:

"To the report of the select committee of the senate of the United States, on the subject of iron, is appended, among other papers, one in which it is stated, that 'it is now ascertained that the superiority of England over France is entirely due to the cheapness of iron: a six horse steam engine, for instance, in France, costs on the average, at least 500 *dollars more than in England*, owing to the cheapness of iron in Great Britain—*It is still dearer in the United States than in France.*'

"Here it is asserted that a six horse power steam engine costs 500 dollars more in France than it does in England, and that it is still dearer in the United States than in France. Now it so happens, that in the United States, at Pittsburg, a steam engine of that power, can be put up, ready for action, for the identical sum of 500 dollars."]

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U. S. BANK STOCK. Sales of 170 shares at the New York stock exchange on Monday, at 119, on time and interest.

The outcry against the bank still continues. Column after column of matter is cast against it—like straws against the north west wind! And we observe that, at a little meeting held in Frederick, Maryland, it has been gravely resolved that "the secretary of the treasury would be fully justified in withdrawing the public deposites from it!" Half a dozen resolution-makers know a great deal more about the interests of the United States, than three-fourths of the members of both houses of congress.

The Merchants and Planters bank, at Augusta, Geo. has failed—and we have ugly reports about another bank in the interior of New York. If the public confidence is shaken because of such occurrences, one bank will fall after another, like a row of bricks placed "on end," by boys in their play. There are too many of them.

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EMIGRANTS. A ship arrived at Baltimore on Wednesday last, with 150 emigrants from Bremen. It is expected that an unprecedented number of persons will reach the United States, from Germany, in the present year. In general, they are most heartily welcome—exactly the kind of people that we need, "provided" the industry of the country is excited and prosperous—for they are of sober and industrious habits; but we have been occasionally annoyed with cargoes of apparently former paupers, or common beggars—and have had to dismiss from 12 to 20 of them in a day. The late law of the state, may, perhaps, abate this nuisance.

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RHODE ISLAND. A governor of this state has, at last, been elected—John Brown Francis has beaten gov. Arnold by about 700 votes—at the fifth trial to elect! Mr. A. was *the* "national republican" candidate—Mr. F. is also said to be a "national republican," but was supported by the Jackson and anti-masonic parties united, and by some national republicans.

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CONNECTICUT. Result of the late election.

| | |
|---|---|
| For governor—J. S. Peters, (nat. rep.) | 9,212 |
| H. W. Edwards, (Jackson), | 9,030 |
| Z. Storrs, (anti-mason), | 3,250 |

*Representatives in congress.*

| *National republican.* | | *Jackson and anti-mason.* | |
|---|---|---|---|
| Mr. Barber | 10,121 | Mr. Judson | 7,469 |
| Young | 10,045 | Hollabird | 7,229 |
| Ellsworth | 10,064 | Porter | 7,376 |
| Huntington | 9,449 | Simons | 6,894 |
| Foot | 8,029 | Wells | 6,842 |
| Tweedy | 7,845 | Clark | 6,567 |

So Messrs. Barber, Young, Ellsworth and Huntington, are re-elected, and Messrs. Foot and Tweedy take the places of Messrs. Ingersoll and Storrs.

Mr. Huntington lost 564 votes, because of the omission of W.—designating his middle name; and Mr. Edwards lost a few on the same account.

The vote was a short one. In November election for electors of president it stood thus—

| | |
|---|---|
| Clay | 17,518 |
| Jackson | 11,041 |
| Anti mason | 3,335 |
| | 31,894 |

Now the votes for governor amount only to 21,492, and the two highest on the list of (opposing) congressional candidates obtained only 17,580 votes—or only 62 more than was given to the "Clay ticket," alone, in November last.

It is stated that there is a Jackson majority in both branches of the legislature, and, as there was no choice made of a governor, it is supposed that Mr. Edwards will be elected.

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MARYLAND. We regret to observe that our much valued friend, Dr. *B. I. Semmes* will not be again a candidate for congress. He has long been in feeble health—and great care and much regularity in living, seem absolutely necessary to his be-

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ing amongst those who love him. He has retired from public life, and bidden an "affectionate farewell" to his late constituents, of Prince George and Anne Arundel counties. In his farewell he says—

"The frequent exercise of the 'veto-power,' to which the present administration has been addicted, certainly to an extent never contemplated by the framers of our constitution, must have awakened your serious apprehensions for the safety and success of our republican institutions. This delicate prerogative, which should be a novelty in the operations of our government, has, by the use of the present chief magistrate of the nation, being reduced into ordinary practice, and threatens to change the entire character of the government. For, if the executive department is to be paramount to and control every other department of the government, it is perfectly immaterial by what name our institutions are called—the government is essentially a despotism; and this seems to be the consummation to which we are now hastening. Nothing but the virtue and intelligence of the people, can save us from so deplorable a catastrophe."

VIRGINIA. The Richmond Enquirer, speaking of the elections which are now going on in Virginia, says, "there will be a decided and overwhelming majority in the next legislature against nullification. Virginia is true to the back bone. She goes against the mad politics of South Carolina. She is devoted to the RIGHTS *and to the* UNION *of the states.*"

In the strongly contested congressional districts the results are yet chiefly unknown, except that Mr. *Mercer* and Mr. *Craig* have been re-elected; and Mr. *Chinn* has beaten Mr. Talliferro, by 40 votes. It is believed that Mr. *Stevenson* will be re-elected, and that Mr. *Loyall* will beat Mr. *King*, in the Norfolk district. Particulars hereafter.

The following are the representatives in congress ascertained to be chosen—Charles F. Mercer, Joseph W. Chinn, Edward Lucas, William S. Archer, John Y. Mason, Nath. H. Claiborne, William F. Gordon, John M. Patton, and John Randolph.

INDIAN HOSTAGES. *From the Washington Globe of April 24.* The distinguished Indian warriors, Muk-ka ta-mish-a-ka-kaik, (*Black Hawk*); Waw ba kee shik, (*Prophet*); Na pope; Pamaho; Na-sin-ew-is-kuck, (Black Hawk's eldest son); Pa-wa-sheet, (adopted son of the Prophet), have arrived at the seat of government from Jefferson barracks. They were conducted thither by lieut. Alexander, of the army, in conformity with the instructions of the government.

We understand that these celebrated chiefs of the Sac and Fox tribes are held as "hostages for the future good conduct of the late hostile bands," in conformity with the 7th article of the treaty of fort Armstrong, made by these confederated tribes, on the 21st of September, 1832, and by major general Scott and governor Reynolds, on the part of the United States.

These Indians are now on their way to fort Munroe, with the view to their greater personal convenience and accommodation. The facilities for escape at their recent place of confinement, near St. Louis, being near their native forests, required such restraints over their persons and liberties, as would not, perhaps, comport exactly with our institutions, or be agreeable to the president; hence, their removal to the Atlantic border, which must greatly ameliorate the present situation of these misguided and unfortunate men of the woods, as now, at fort Munroe, they comparatively may be at large, or restricted only to the limits of that great work. Here, too, they may see the "blue face of ocean smile," and if the scene be less congenial to their nature than their own green prairies of the west, yet, perhaps they may be reminded of the boundless tract on which, in days that have gone, they had been accustomed to roam.

We understand that this disposition of *Black Hawk*, and the hostages named in the treaty, is specially provided for by an act of congress, from which, as it is at hand, we will give the extract:

"For the expenses of twelve prisoners of war of the Sac and Fox tribes, now in confinement, and to be held as hostages, under the seventh article of the treaty with the Sacs and Foxes, of twenty-first of September, one thousand eight hundred and thirty-two, embracing the cost of provisions and clothing, compensation to an interpreter, and cost of removing them to a place where they may be kept in safety, without being closely confined, the sum of two thousand five hundred dollars."

CHESAPEAKE AND OHIO CANAL. *The Richmond Compiler says* —We understand that the president of this company has called upon the treasurer of Virginia, for an advance on the instalment of $250,000, authorised by the last legislature to be contributed on the part of the state. Much the greater part of the appropriation on the part of Maryland, to the same company, will be made by the next month.

The work is said to be in rapid progress. More than 4,500 hands and 800 horses are employed upon its different branches—and at least 9,000 lbs. of powder a week are consumed in blasting rocks. It is expected that the line from the mouth of the Tiber, up to Harper's Ferry, a distance of 64 miles, will be completed in the month of May—and the whole line, more than 100 miles, within three and a half years short of the time allowed by the charter.

AN AWFUL AFFAIR. The brig Sultana, Willis, arrived at Baltimore on Tuesday last, in fifty-five days from Rio de Janeiro, which place she left on the 24th of February. Captain Willis informs us that prior to his sailing, two English ships had arrived at Rio de Janerio, having on board about *seventy* persons whom they had picked up at sea. From their statement, it appeared that the British ship Britannia, bound from England to Van Deiman's land, with upwards of two hundred convicts on board, accidently took fire at sea, while the mate was drawing liquor from a cask in the run and burned to the water's edge. More than a hundred persons, men and women, perished in the flames. After the vessel took fire, the crew and some of the passengers constructed rafts, on which about seventy embarked and were fortunately saved from a watery grave by the timely approach of the two vessels above alluded to. On their arrival at Rio de Janeiro, a subscription was opened for the relief of the sufferers, and about $4,000 had been raised when the Sultana sailed.

It will be recollected that the wreck of a burned vessel was fallen in with some time since, by the ship Martha at New York, with a number of dead bodies floating near it. Among the surmises then made as to the identity of the ship, was one, that the wreck was that of a convict ship from England. It is probable that this is the same vessel. [*American.*

WEST POINT. We learn that major [lieutenant colonel] De Russey, of the United States engineer corps, one of the earliest and most distinguished *eleves* of the military school at West Point, has been appointed superintendent of that institution in the place of colonel Thayer, resigned. Colonel Thayer, notwithstanding his resignation, does not retire from the service, but is to be employed at some other station. [*Evening Post.*

NEW YORK POST OFFICE. *From the N. Y. Gazette of the 16th inst.* The recent discussions in the newspapers relative to a contemplative change in the internal arrangements of the post office in this city, have induced us to make some inquiries as to the amount of labor performed in this important department, and the facts which we are about to lay before the public, will satisfactorily show that the number of clerks ought to be increased, not by the introduction of inefficient persons, but by the selection of two or three active intelligent young men, who would, in time, acquire sufficient experience to enable them to be of essential service. We will here state the amount of letters received at the post office for the last six days, ending on Saturday evening, viz:

| | |
|---|---|
| City delivery | 21,929 |
| One cent letters | 3,000 |
| Letters for distribution | 7,670 |
| Ship letters | 23,021 |
| Letters received through the box for distribution, averaging 9,000 per diem, | 54,000 |
| Making a total of | 109,620 |

Of this large number, 35,219 were delivered in this city, and the remainder forwarded to every part of the country. When it is taken into consideration that each of these letters was handled six or seven times for the purpose of marking, assorting, delivering, mailing, &c. it will be equal to the handling of *seven hundred thousand letters.* Moreover the number of newspapers passing through the office amounts to a million per month. It is therefore evident that more aid is necessary, and we hope the postmaster general will order additional clerks, a measure which is emphatically demanded as an act of justice, not only to the gentlemen who now perform their duties at the expense of their health and constitutions, but to the mercantile community also, who contribute so largely to the support of this important department of government.

IMPORTANT LAW CASE. The following goes to the establishment of principles very important to the public.

*Extract of a letter to the editors of the Philadelphia Sentinel, dated Harrisburg, April 17, 1833.*

A very important trial has just terminated in the circuit court here before judge Rogers. It is said to have been a new case in Pennsylvania, and the decision settles probably, a very important principle. The cause was that of *John Bolton vs. Colder & Wilson*, stage proprietors. The facts appear to have been these. The stage from Reading to Harrisburg, belonging to Colder and Wilson, on its way to the latter place, stopped at Kuhn's tavern, on the 4th of Feb. 1832, the object of which was to give the horses drink. While standing there, John Bolton passed, in the same direction, in a dearborn wagon. The stage overtook the wagon, about half a mile from the place.—Bolton took the left of the road, and approached the bank, as near as was safe for him. The stage proceeded on in its usual speed, and without turning to the right or left—caught the hind wheel of the dearborn, upset it, and broke the thigh of Mr. Bolton, and left him entangled in such a way that he must have perished, had not the passengers, at some distance prevailed on the driver to stop, when they went back and relieved him, by righting the wagon, placing Bolton in it, and one of them driving it to town. Bolton lay some weeks, under the doctor's hand—endured great suffering—is yet a cripple, and in all probability will remain so all his days. Bolton brought suit, in the court of common pleas of Dauphin county, against Colder and Wilson for damages—the cause was arbitrated, and an award of 75 or 80 dollars rendered in favor of Bolton, from which he appealed, and removed the cause into the circuit court. On Tuesday it was taken up for trial—the testimony was closed yester-

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day, before dinner—the cause was argued in the afternoon—the jury was charged between 6 and 7 o'clock, and this morning at 9 o'clock, a verdict was rendered, in favor of the plaintiff, for twelve hundred dollars damages, and six cents costs. The damages were laid at $5,000. The counsel for the defendants moved for a new trial, for six several reasons, which they assigned—all alleged to be errors in the decisions of the court—which being refused, an appeal was taken to the supreme court, upon the same ground.

If the decisions in this case be confirmed, (and little doubt exists but they will) they establish regulations, not generally known, but which it is important the public should know.—They are these; that a stage has no rights upon a public road, superior to any other vehicle. That in meeting each other, all carriages are bound to keep to the right—but that no carriage is bound to give any part of the road for another to pass it, at a swifter gait—that is, that a wagon, or cart, or dearborn, or gig, or sulkey, is not bound by law to turn aside, to let a swifter vehicle pass which may happen to overtake it. So that a swifter carriage, if it sees its way clear, may pass a slower one, on either side, but must be responsible for damages—nor can it, by right, force the one before it, to turn out. And a driver is identified in law, as the owner, and the proprietor of a stage is as much responsible for the acts of his driver, connected with the stage, as he would be if he were driving himself.

I understand, this case will be reported at large, for the papers.

Counsel for plaintiff—*D. Krause* and *J. A. Fisher*—for defendants—*J. B. Weidman* and *John M. Foster.*

As it should be. The Montreal Gazette of the 11th inst. announces the arrival in that city of captain Back and his party. Captain Back, it is said, speaks in the most enthusiastic terms of the attentions he received from the citizens of New York during his stay there, and of the liberality of the custom house department in declining to receive any duties on articles belonging to the gentlemen attached to the expedition. The party are to leave Montreal for the interior, about the end of this month.

☞Captain Back was certainly most kindly and respectfully received and entertained in New York, by all parties, and on every occasion; but as Englishmen, generally, are apt to suppose that all "out-landish" people are in duty bound to pay homage to their "nobility,"—it is pleasant to meet with a man who, being a *gentleman* himself, can appreciate gentlemanly actions in others—though beyond the reach of the sound of "Bow Bells"—though they never saw Gog and Magog, heard a cock neigh, or "bagged" an owl for "game."

## BRIEF NOTICES.

The Roman Catholic cathedral church in Baltimore, was robbed in the night of the 18th instant, of sundry candlesticks and crucifixes, &c. in the belief, perhaps, that they were of gold. But the total loss of property did not exceed the value of 150 or 200 dollars—and the thieves will not find it easy to convert the articles stolen into money, undetected.

There have passed through the Chesapeake and Delaware canal during the week ending the 13th inst. one hundred and forty-eight vessels. Seventy three from the Delaware, and seventy-five from the Chesapeake.

The Norfolk Herald states that the Methodist Protestant congregation have purchased the only theatre in that place, with the intention of converting it into a place of worship.

The Pennsylvania Advocate says—It is stated in the eastern newspapers, that judge Holmes, who recently died at Haddam, in Connecticut, was a member of the legislature of that state for sixty sessions. We heard of a member of the Massachusetts legislature, who held his seat for forty years in succession. He maintained his popularity by always voting in the negative. If a bad law was passed, his name was always found among the nays—if a good law, no inquiry was made as to who voted for or against it. More men acquire and retain popularity by negative than by positive qualities.

[The venerable *Nathaniel Macon* voted for the declaration of war against Great Britain, in 1812—but, we believe, voted against nearly all the bills, (if not every one of them), which freely appropriated money to carry it on—or declined voting altogether.]

On Sunday morning last, at about 7 o'clock, the store of Messrs. Monteith, Market street, Baltimore, was entered by false keys, and robbed of watches and jewelry, to the value of about 6,000 dollars. This store is in one of the most public places in the city.

The secretary of the navy, accompanied by col. Henderson, of the marine corps, is now on a tour of inspection, and left Louisville, Ky. on the 14th instant, for New Orleans, Pensacola, &c.

The journey between Baltimore and Philadelphia, was lately made in the Citizens Union Line, in eight hours fourteen minutes. One would suppose that this is going "fast enough." We have been more than two days and nights making this journey.

It is given out that the president will commence his eastern tour about the 1st of June. The vice president has proceeded to the north, stopping some time both in Baltimore and Philadelphia. He will probably join the president at New York.

Major Heard, who made the outrageous assault on Mr. Arnold, of Tennessee, as he was leaving the capitol in June last, has been recently discharged on his own recognizance of 500 dollars. The account says, he is considered insane, and was not put on his trial.

The steamboat "William T. Barry," a mail boat which plies between Mobile and New Orleans, was run ashore at the Bayou la Batre, on the 5th instant, to avoid sinking, being riddled by worms. The Mobile Mercantile calls her the *new boat.*

The ice yet remained firm on lake Erie, at Buffalo, on the 17th inst. but was expected to give way in a few days. The upper part of the lake was navigable about the 10th of the month.

In six days, ending on the 18th inst. the tolls on the Pennsylvania canal, received at Harrisburg, amounted to $2,196 15½. Business is said to be equally brisk on other canals.

A want of the usual floods in the Susquehannah, has prevented a vast amount of produce from descending—especially lumber.

Portsmouth, Ohio, and Batavia, New York, have recently suffered much damage by fire.

The navigation of the St. Lawrence, from Quebec to the sea, opened on the 12th inst.—though large quantities of ice was still floating in the river.

The Political Examiner says—The facilities of the intercourse of our citizens with Baltimore, have been greatly increased, within a few days. By the new arrangement, a person may leave Frederick at 4 o'clock, A. M. arrive in Baltimore at 11, transact business until half after four and return to Frederick by 11 at night.

[That is—travel 120 miles without fatigue, and have 5½ hours for business, and 5½ in bed, (at home), in 24 hours.]

## FOREIGN NEWS.

*From Paris papers to the 23d March.*

There was a report that Ibrahim had taken possession of Smyrna. The French and English are very desirous of making some arrangement between the Turks and Egyptians, which may enable the sultan to dispense with the Russian army and navy, so *generously* offered for the defence of his territories. A sketch of the terms that have been proposed to Ibrahim are published, which it is thought that Mehemet, his father, would accept, and recal his victorious army. According to this project, a part of Syria—the districts of St. Jean d'Acre, Jerusalem and Tripoli, are to be added to the pachalic of Egypt, which is, however, to acknowledge the sovereignty of the sultan. The Turks at Constantinople were flattering themselves with the hope of a speedy peace.

The prosecutions of certain editors at Paris, do not make it appear that the liberty of the press is on a much better footing than it was under the Carlists.

The naval force of France in the Mediterranean is to be increased.

Prussia is very anxious for a settlement of the disputes between Holland and Belgium. The budget of her war department *is* oppressive. In 1831 it amounted to 49,750,000 thalers, which is double that of ordinary times.

According to letters from Corfu, king Otho has already appointed six Greeks to be generals.

A royal Spanish decree has issued authorising Don Carlos to visit Portugal, together with his wife (sister of Miguel) and her son.

The war in Portugal is not active. Neither party seems able to render much injury to the other.

We have late accounts from Mexico. Gen. Santa Anna has been elected president, receiving all the votes but one. Fears are expressed, however, that the peace of the country will soon be again disturbed.

## BRITISH COLONIAL SLAVERY.

*In the house of commons, March 19.*

On Mr. *F. Buxton* being called upon by the *speaker.*

Lord *Althorp* said he had to request his honorable friend not to bring forward the motion of which he had given notice, respecting colonial slavery, at the present moment. As ministers had intimated their intention of preparing some measure on this subject, he thought that the honorable member could not do any thing more advantageous to the question itself than to postpone his motion until he heard what were the plans his majesty's ministers had in contemplation.

Mr. *F. Buxton* said that no gentleman was more conscious than himself that it would be far better that this great question should be taken up by government than by any individual member of that house and he was ready on the present moment to postpone his motion upon two conditions—1st, that ministers would be prepared with a plan for the entire and immediate extinction of slavery; and 2d, that they would name the day that they would introduce the plan to the house. It was indispensable that the question should be settled in the present session, and by that house, or it would be settled in another place in a far more disastrous way. Therefore; however obstinate he might appear, and however painful it might be for him to resist the requests, both public and private, which had been made to postpone the question, he felt compelled to proceed at once with the motion, unless government fixed a day on which they would be prepared to explain their plans with respect to colonial slavery.

Lord *Althorp* said it was impossible for him to comply with one of the conditions mentioned by the honorable member; but with respect to the other—that government should fix a day in which they would bring forward their question—he certainly had no objection to state that government would be prepared on Tuesday, the 23d of April, to state the views they took on the

subject. Of course he could not at the present time state what the plans were which his majesty's government had in contemplation.

*Mr. F. Buxton* said, that in reference to the words "entire and immediate extinction of slavery," as used by him, he perhaps had expressed himself rather unguardedly, because one of the great objects he had in view was the safe and satisfactory settlement of the question—(Hear, hear). With the promise given by the noble lord he was perfectly content, and should therefore withdraw his motion.

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The following is copied from the New York Journal of Commerce. It is another beautiful commentary on JOHN BULL's honorable liberality and *consistency*, in the matter of negro slavery. But John is infallible! Every thing is right or is wrong, as the "maggot bites him." He preaches "free trade" for American use, and will not give tapes and bobbins for American *flour!*

The acting committee of West India planters and merchants in London have drawn up a documentary history of the origin and progress of slavery in the West Indies, and submitted a copy of the same to each member of the British parliament. The sum of the whole matter is, that the slave trade was urged upon the colonies by the British government; that various attempts were made by the colonies to check the importation of slaves, by legislation, remonstrances, &c. but that such attempts were uniformly resisted by the government of the mother country, until at length, in 1775, an order was issued by the king to the following effect:

"To our trusty and well beloved sir Basil Keith, governor of Jamaica, and the territories depending thereon in Jamaica—*Whereas*, notwithstanding the instructions which have been repeatedly given by us and our royal predecessors to the governors for the time being, of our island of Jamaica, forbidding them to assent to or pass acts for imposing duties upon negroes imported into that island, payable by the importer, such acts have nevertheless been from time to time enacted and passed into laws, in open violation of said instructions. *And whereas*, it has been represented unto us, that the duties imposed by the said acts upon negro slaves imported, have of late been considerably augmented, to the injury and oppression of the MERCHANTS of this kingdom, and the obstruction of its commerce: it is therefore our express will and pleasure that you do not, upon any pretence whatever, and upon pain of being removed from your government, give your assent to any act or acts by which the duties and impositions upon slaves imported into the island of Jamaica, as the said duties stood before the 13th day of February, 1774, shall be in any respect augmented or increased, or any alteration made in the proportion of such duties, which by the provisions of such laws was made payable by the importers of such slaves. G. R.

"Given at our court at St. James', the 28th February, 1775, in the 15th year of our reign."

The colonies, by the agent of Jamaica, remonstrated against the resolution of the government; but the earl of Dartmouth replied, "we cannot allow the colonies to check or discourage in any degree a traffic so beneficial to the nation."

The same course precisely was pursued by the British government towards the colonies which have since been erected into independent states. It was a course full of injustice, and pregnant with the most disastrous consequences. The committee of West India planters and merchants, however, only deduce from it a single inference, viz: that if the British government now contemplate the abolition of slavery in the West India colonies, the loss of property occasioned thereby, ought not to fall exclusively upon the colonists, but to be shared equally by them and the other population of the British empire. They say—

The West India colonists do not propose to vindicate the system of slavery, but they consider that, (to use the words of lord Stowell), "if it be a sin, it is a sin in which the country has had its full share of guilt and ought to bear its proportion of the redemption."

The colonists are themselves ready to bear their share of any national sacrifice which may be required for the purpose of cautiously substituting a better system, if such should be the national determination; but they mean to show, by the accompanying paper, that Great Britain is herself responsible for the establishment and actual existence of colonial slavery: that with the view of extending the market for her African trade she passed laws and made grants of land expressly enjoining cultivation in the colonies by slave labor, and that thus, through the instrumentality of her subjects, all eagerly contending for participation in the traffic, she gradually peopled the West India colonies with slaves and received the value of them in money; consequently, that any measure of legislative interference tending to impair or endanger the value of property so acquired, must either be accompanied by adequate compensation, or give a death blow to that confidence in the national faith and character which has hitherto been the sole support of private property in this country.

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## THE WHITEFOOT'S OATH.

KILKENNY ASSIZES.

*Dublin, March* 16. On Wednesday last, ten men were tried and convicted of a midnight attack on the house of Martin Kavanagh, of Johnstown, so far back as the 23d November, 1831, and with assaulting him and administering unlawful oaths. It appeared on the trial, that Kavanagh had since entered into the Whitefoot confederacy, been tried, convicted, and ordered for transportation at the last assizes. His wife and an apprentice, Henry Highland, one of the party who attacked Kavanagh, were produced as witnesses against the ten Whitefeet, who were on their evidence convicted of the minor offence within the house, and acquitted of the burglary, as Kavanagh had raised the latch to admit them.

On the cross examination of Highland, he admitted that he had often been present when Whitefeet were sworn in, and stated that the following was the oath administered—

1. I hereby swear to keep counsel of all this united business or ribandism.

2. I hereby swear to suffer the right arm to be cut from the left, and the left from the right, and the right to be nailed to the metropolis of Armagh gaol door, before ever I'll waylay or betray a brother, or go on a green cloth to swear against him.

3. I hereby swear never to have carnal pleasure with a brother's wife, sister, aunt, or first cousin, only by lawful permission.

4. I hereby swear never to rob a man or keep company with a robber, unless in gaol or work, where it cannot be helped.

5. I hereby swear to give money to the repair of arms or of ammunition, when called upon by a brother, if I have it.

6. I hereby swear never to have a shilling, and a brother to want sixpence, without giving it to him.

7. I hereby swear never to pity the moans or groans of dying children, but always wade knee-deep in Orange blood, and to keep down land-jobbers and tithe-jobbers.

8. I hereby swear never to see a brother in danger of transportation or the gallows, if I am able to make up money for him.

9. I hereby swear never to have two coats, two shirts, two pair of stockings, or any thing belonging to the body, but will give a brother one if he requires it.

10. I hereby swear never to sit in company and hear a brother spoken ill of. If I am not able to fight or resist, I will walk out and tell the next brother I meet what was said, who said it, and in what company.

11. I hereby swear to go 15 miles on foot, and 21 on horseback, when called upon by a brother upon a lawful occasion, or unlawful, for fear it might be unlawful before we could come back.

12. I hereby swear to never give the secret to bishop, priest, or minister, or to any other body, only to a friar, and to never tell the man that made me a Whitefoot, and to keep up to the knight of St. Patrick.

The declaration of the above caused an extraordinary sensation in court; parts of the oath have heretofore been exhibited to the public indignation, but this is the first time that it has been exposed in a court of justice in the county of Kilkenny, as a characteristic of the Whitefoot system. Several of its clauses are well remembered as having been used as forms of swearing in the older Ribandmen or Rockites, in the north of Ireland, where the former Orange system provoked such a reaction. The fact of its having been grafted on Whitefootism, only proves how extensive are the causes which operate in Ireland to expose the peasantry to the temptation of joining any system or any enterprise, however rash and lawless and dangerous, that holds out a hope of redress.

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## BRITISH EAST INDIES.

The countries subject to the dominion of the East India company extend over upwards of 1,000,000 of square miles, and contain about 124,000,000 of inhabitants. With the exception of Nepaul, Lahore, the territories of Aimers and Scindia, and the Cabul sovereignty east of the Indus, the whole of India within the Ganges, containing about 123,000,000 of souls, is under their sway. In the peninsula beyond the Ganges, they have several provinces south of Rangoon; viz. half the provinces of Martaban, the provinces of Tavoy, Ye, Zenasserim, and the Mergui isles; also the province of Arracan, Assam, and a few petty adjacent states. The population of these last countries is about 300,000. Pulo Penang, or prince of Wales Island, and Sincapore, at the southern extremity of Malacca, are the company's most flourishing settlements in that quarter. Penang was once a free port; Sincapore still is so; and the rapidity of its progress, the promiscuous character of its inhabitants, and the great commercial activity which pervades it, are an emphatic reply to the allegation, that the inhabitants of the east require the compelling power of an overgrown monopoly to induce them to trade! In the five years previous to 1828, its population increased forty per cent. and amounted in that year to 14,885; only a very inconsiderable number being Europeans, the rest Chinese, Malays, and other natives of Indian coasts and surrounding islands. The jurisdiction of the company also includes St. Helena, in the Atlantic, where a fortress and garrison are retained; and in the south of China, at Canton, is the factory which conducts the tea trade.

We can spare only a short space for observations on points of most pressing interest connected with the management of this mighty empire; but a very few remarks may give our readers an idea of them. It is plain, in the first place, that the part of the East India company's charter which refers to trade must be thoroughly re-modelled. The notion of a monopoly trade, such as that with China still is, cannot, in these days, meet with many defenders. The monopolist is never an economical trader. He is lazy, difficult to be moved; and when he does move,

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it is very cumbrously. The large ships of the merchant-kings are no more to be compared with a clean and smart Liverpool trader, than the lumbering fabric of Leadenhall steet, with the well arranged, economical counting-house of the enterprising capitalist. A good free trader is navigated at nearly half their charge; and upon a single voyage to Calcutta, gains about 70 days. Add to all this the expenses of a Canton factory, together with the needlessly extravagant salaries paid by the company to its servants, and we shall have no difficulty in accounting for the high price of tea in Great Britain compared with any other part in the known world. This single article of consumption has been said to cost upwards of £2,000,000 annually, over and above its retail price, in consequence of the trade being so conducted, or rather bungled; and we are certainly filched at least £1,500,000. But we suffer far more than this actual deficit. Had our prices not been so extravagant, we might have conducted the tea trade of the whole western world; and assuredly our ship-owners would find it better to assist us in an endeavor to destroy this monopoly, than to clamor in support of a pitiful timber trade with Canada! Reform is deeply necessary in the trade with Hindostan. Although nominally free, it is not so; nor will it even be so whilst the company is allowed to trade. What we mean by free trade is this: it is a trade whose conditions are regulated by free competition amongst capitalists acting upon the common principles of profit and loss; and it is clear that no such trade can exist, when the market is ever likely to be pounced upon by one large capitalist who cares neither for profit nor loss; who often purchases for no other object than to make a remittance of surplus revenue; and whose acting servants are paid, not by a per centage on their profits, but in proportion to their purchases. We hold that the constant interference of these monopolists with the Indian markets is almost the sole reason of the continued inadequacy of the commercial intercourse of Britain with Hindostan; for inadequate, and miserably so, it still is, great though its progress under the free trader, since the last renewal of the charter, has unquestionably been,—and it is the surest proof of the accuracy of what we assert, that up to this hour, the company cannot show that it has been a gainer, in circumstances where private capitalists would have realized uncommon fortunes!—But we have yet another matter to settle with these sovereigns of India; one of higher importance than even the foregoing; a matter still more interesting to the human race—the question as to the nature of their government. The fact is not to be disguised,—India groans under a military despotism. Our hold over the natives appears to be, that their fierce masters were harder than we, and oppressed them still more relentlessly,—a strange security for civilized and Christian Britain to adopt as the sheet anchor of her Indian dominions! No check against bad government; no power to obtain justice upon the provincial oppression; no opportunity of advancement, either commercially or morally, have we yet granted to the prostrate Hindoos. The Moslems, indeed, planted a conqueror's foot upon their necks; but, like the Romans of old, and the Russians in modern times, they dispersed themselves amongst the conquered, took part in their concerns, and communicated their own superior civilization. Our merchant-kings tremble at the bare name of civilization. Their wise men have talked even of a prohibition of Christianity. They only vouchsafe to India collectors of a worse than her tithe tax, and quarter upon "spots of greenery" hordes of avaricious adventurers, actuated but by two moving principles—the determination to extract money, and the desire to return home. The time for correction is at hand; and shall the destinies of south eastern Asia tremble in the balance? shall we weigh ignoble fears, and corrupt desires, against the fates of those countless millions? Shall we refuse to India a population of industrious colonists, who would accept her as their home, and under whom liberty and civilization would assuredly grow? By such men would the Hindoo be taken up on the one hand, and accustomed to the securities of Europe; and on the other, an effective responsibility of some sort would be infallibly attached to every official within the broad peninsula. The seeds of freedom would thus be sown, and the tree of goodly shadow would, in due course, arise. In that land, we can never look for a New England; its character and the proportions of its population forbid; but it may be a new country of peace, a new refuge for humanity, a new field for the unfettered exercise of human ingenuity, the spread of human happiness, and the exercise of the mind's best powers. [*Tait's Edinburgh Magazine.*

## MONUMENT TO ALEXANDER.

The grand monument to the memory of the late emperor of Russia, ordered by Nicholas, his brother, was raised on St. Alexander Nefsky's day, August 30, O. S. 1832, in presence of the imperial family, nobility, citizens and strangers, including an immense multitude, in the large square in front of the hermitage, or winter palace of the emperor. The shaft is of red granite, the same substance of which Pompey's pillar is composed, and is represented to be larger than that celebrated shaft. The raising is thus described in the Boston Transcript, by a gentleman recently returned from Russia:

The pedestal, which is square, is forty feet high; the shaft is round, and in one piece; it is eighty five feet high and twelve feet diameter at the top; it weighs six hundred tons. The column supports a colossal bronze statue, representing an angel, holding a cross. The statue, with its pedestal, including the capital of the column, is thirty-five feet high, and the height of the monument from the ground to the top of the statue is one hundred and sixty five feet. The stone was brought from Finland, (from the same quarry where the celebrated pillars of the Cassand Church, polished like marble, were procured), and transported to St. Petersburgh in a ship built for the purpose, towed by a steamboat. The inclined plane on which the shaft was rolled from the river Neva to its present site, contained a forest of wood, and cost in that country, where it is so cheap, a million of rubles, or 200,000 dollars. The column was raised and safely placed on its pedestal, by means of sixty capstans, manned by 2,500 veterans, who had served with Alexander in his most glorious campaigns. Each of them wore badges of honor. The preparations for the stupendous undertaking were so complete that not the slightest accident occurred, and during the operation of raising the shaft, not a whisper or a word was heard throughout the vast multitude who witnessed it.

## PERIODICAL PRESS OF FRANCE.

*From the New York American.*

We received from the last Havre packet from the "newspaper correspondence office" of Messrs. *I. Bresson* and *Bourgoin* at Paris, a large sheet, containing the names and places of publication of every newspaper and periodical publication in Paris and the departments—and our surprise at their number, closely as we thought we had watched the spread of these vehicles of intelligence in France, was truly great. There are published in the departments *two hundred and forty three papers*—some daily, some tri-weekly, some semi-weekly, some weekly, and some monthly. *Bourdeaux* has *five* daily newspapers and one weekly. Contrast Liverpool in England with this, which has not a single daily paper. *Lyons* has *four* daily papers, *two* tri-weekly, and *one* weekly. *Rouen* has *four* daily papers, one semi-weekly and one monthly. *Havre* has *two* daily, one weekly, and one monthly.

In Paris, *thirty-one* daily papers are published—of which *two* are evening, *three* midday, and the remainder morning publications—leaving 186 periodicals more, recurring at less than two months interval, and mostly weekly or monthly to fill up the sum of 217.

According to a circular dated the 15th February, from the directors of the office of correspondence, whence we received the statement of the French press, "more than one hundred journals or periodicals have been established within the past year, chiefly in provincial towns." With such activity and impetus given to the public press in France, what hope can there be of maintaining any doctrines which imply right or superiority in any one portion of mankind—whether kings, priests or nobles, to rule the rest?

We cheerfully comply with the request of Messrs. Bresson and Bourgoin, to insert the following notice:

Messrs. Bresson and Bourgoin, directors of "the newspaper correspondence office," established in Paris three years ago, have just published a new statistical table presenting for the year 1833, the authentic list of all the papers and periodicals which are published in France. The utility of such a publication cannot be overrated.

## FRENCH CHAMBER OF DEPUTIES.

*From the New York American.*

On 11th March, the report of the committee respecting *M. Cabet*, a deputy, who, in the interim of the session had been accused and convicted by default of having made a seditious publication, and who now claimed that this sentence of conviction should be annulled—being under discussion, *gen. Lafayette* took occasion to speak as follows, amidst profound silence:

"Several of my colleagues, professional men, having asked to be heard, I will not go into the discussion of the matter before us. I will only say that what induces me specially to second the motion of *M. Cabet*, is, that he is one of the deputies marked out for the courts martial in the days following the 6th June last. Not that I consider it a positive aggravation of that crime, of that violation of the charter, that a deputy, more than any other citizen, was to be made one of its victims; but perhaps this consideration may add something to the view of his case. Moreover, gentlemen, it would seem that we are treated with very little ceremony. You perceive with what facility such of our colleagues as hold place are dismissed from office when they transcend the limits of a *silent vote*. (Laughter and approbation). I might quote another example if it were not personal to myself; and this furnishes me the occasion of complaining of what happened three days ago at my residence of La Grange. (Hear, hear). The complaint I make refers to the treatment recently resorted to in the case of an illustrious Pole, *M. Lelewel*. I accuse no ministerial personage; for I believe the measure was decided on in the king's council. If it were otherwise, it would be of the minister of the interior that my complaint would be made. Gentlemen, you will remember that unfortunate determination—unfortunate certainly in my view—which caused the French government to descend to the level of other arbitrary governments, and of which the effect has been to place it on a footing of companionship with despotic governments, from which we hoped the revolution of July had forever released us. It would have been fine to be able to say to arbitrary governments, "you can do such and such things; we have even the right to demand that you should, because you are despots; but you cannot make any such demands of us, because the constitution of our country would not permit a compliance with them." (Expression of interest). According to the English alien bill, the confronting of the foreigner with three ministers is I believe requisite;

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and when our late government called frankly for arbitrary powers, then too the signature of three ministers was required. Such however, is not our present law regarding aliens. Well, gentlemen, the foreigners have required that we should send out of France, or at least away from Paris, some Poles accused of having signed an address to some other countries. Among them was one who was neither a political agent nor refugee, for he had been for many years in France, and was even one of those who most distinguished themselves in the days of the barricades in Paris, (murmurs in the centre). But there was another *Lelewel*, who was a minister of the government of which prince *Czartoryskie* was president—a man who has a great literary and scientific reputation in Poland, in Russia, in Germany, and indeed in all Europe. It had been arranged, and I was thankful to ministers for it, that instead of going 60 leagues away from the capital, he should remain at La Grange. The minister of the interior thinks he has come to Paris. I assure him he is mistaken. However that be, M. *Lelewel* received orders to retire to Tours. I supposed that order had not been yet sent, and upon that point refer to my son, now present, and one of our colleagues. But though he had received it, I must say M. *Lelewel* committed a great error in supposing that any influence remained to one of your colleagues, who declares that he is entitled to none, under the administration of a system which he pronounces counter-revolutionary, and from which he has entirely and openly withdrawn himself. By the term 'counter-revolutionary,' I mean counter revolutionary to the revolution of July, 1830. This, then is what passed—a detachment of gens d'armes, followed by a sub prefect of the district, and the mayor of the commune, appeared at *La Grange*, to arrest M. *Lelewel*. They placed him in one of my carriages with a gen d'armes, and conveyed him to Melun, and thence doubtless to Tours. This is a sufficiently savage manner of proceeding towards so distinguished a man as M. Lelewel. I admit that I could not help being surprised myself at such conduct, considering that for the fifteen years of the restoration, during which, in this place and elsewhere, I evinced my open hostility to it, never, though then there might have been more substantial grounds for it, had I cause to complain of such a step; whether because there was yet some recollection of ancient relations, or that there was a real repugnance to a certain vulgarity of such proceedings—never has such a thing happened before to the dwelling of *La Grange*. According, however, to the system of concession which has been adopted, the time was, it seems to me, well chosen, for it was a double tribute of condescension on the arrival in the capital of the Russian ambassador." (*Very well, very well.*)

*M. d'Argout*, minister of the interior, after stating that he would propose in a few days laws providing fresh subsidies for the relief of political refugees, and thus prove that the government did not neglect or abandon them, said—

As for *M. Lelewel*, I must say that the government, desiring that the Polish refugees should be removed from the capital, the honorable general, who appears to take some interest in *M. Lelewel*—

*Gen. Lafayette.* Great interest.

*M. d'Argout.* The honorable general asked that *M. Lelewel* should be permitted to reside at *La Grange*—but on the condition that he would not go from thence. Nevertheless, gentlemen, I know to a certainty that this man has been several times in Paris. I will not say that I know it to a *positive* certainty, but to a *moral* certainty. (Laughter at the extremities). *M. Lelewel* has, I repeat, several times left *La Grange*.

*M. Geo. Lafayette.* Never. (Sensation.)

*M. d'Argout.* When a refugee thus abused the indulgence of the government, they thought it right to send him farther away. Consequently I stated to the honorable general himself that the government could no longer tolerate the presence of M. Lelewel at La Grange. I know not by what mistake the armed force made its way to La Grange, for I remember recommending to the prefect not to have recourse to it.

Gentlemen—there is nothing more honorable than the hospitality granted to the Polish refugees—but it must be remembered that there are among them turbulent and restless spirits, who injure their own cause, as well as the interference in their behalf which the French government has been always ready to urge—(approbation in the centre). We should be wanting to our duty, gentlemen, if we at this time should permit a law, passed by yourselves, to be violated. (From the centre, very well—very well).

*Gen. Lafayette*, from his place. Since the minister disavows the mode in which the prefect executed his order, I beg him to write to "that man"—to use the vocabulary which the minister more than once thought proper to employ—for I do not think *M. Lelewel* a less illustrious person than the prefect—and give him a good dressing. (Laughter and approbation).

## THE FALKLAND ISLANDS.

### PROTEST OF THE ARGENTINE REPUBLIC.

*To the charge d'affaires of H. B. majesty, Philip Gore, esq.*

*Department of foreign relations, Buenos Ayres, Jan. 22, 1833.*

The undersigned, minister of grace and justice, charged provisionally with the department of foreign relations of the Argentine republic, is directed by his government to address the charge d'affaires *ad interim* of H. B. M. in this city, and inform him that on the 2d inst. H. B. M's sloop of war Clio anchored in the port of San Luis, in the island of La Soledad, one of the Malvinas, for the purpose of taking possession of them as belonging to H. B. M.; capt. Onslow, of the said vessel, stating that he had positive orders to hoist the British flag on shore within twenty-four hours. He had already done so in other ports of the islands, and finally, did the same in that of La Soledad, in defiance of the protests of the commander of the schooner of war Sarandi, who was there in fulfilment of orders from his government, which, through a fatality of unforeseen circumstances, he could not strictly perform, by forcibly resisting the occupation of the islands. The undersigned abstains, for the present, from expatiating on the inconsistency of such a violent and rude proceeding, in a time of profound peace, when the close and friendly relations between the two governments on the one hand, and on the other the moderation, cordiality and purity of intentions of which England has made ostentation, gave no reason to expect that the confidence in which the Argentine republic reposed would be so unceremoniously violated. Nevertheless, in fulfilment of the orders of his government and in its name, in consideration of what we owe to our own dignity, to posterity and to the deposit which the United Provinces has entrusted to the government of Buenos Ayres, and in short, to the whole world whose eyes are fixed upon us, the undersigned protests in the most formal manner against the pretensions of the government of Great Britain to the Malvina Islands, and its occupation of them, as likewise against the insult offered to the flag of the republic, and against the damages which the latter has received and may receive in consequence of the aforesaid proceedings, and whatever may hereafter take place on the part of the British government in this respect. The charge d'affaires, whom the undersigned addresses, will please transmit this protest to his government, and manifest the decided resolution of this republic to sustain its rights, at the same time that it desires to maintain inviolate the friendly relations which it has hitherto cultivated with Great Britain, and that peace may prosper and be perpetual between both states.

## THE REPRESENTATIVES CHAMBER.

A material alteration is now making in the hall of representatives. The floor is to be raised to a level with the *logea*, behind the speaker's chair, and to descend towards the present principal entrance; the speaker's chair is to be placed near the main door, thus changing the position of the members, so as to front the galleries, the elevation of which will be reduced by adding to the height of the floor; two doors are to be cut out of the wall surrounding the chamber, one on each side of the speaker's chair, and a new gallery is to be formed behind the columns of the logea. The entrance into this gallery, which, we suppose, will be light and airy, like that in the senate chamber, will be through the doors on the south side of the building. The hearing, it is thought, will be greatly assisted by these changes; but the magnificence of the room will, we apprehend, be somewhat marred. By the arrangement now in progress, the capacity of the hall will be considerably increased, and a much larger number of representatives can be accommodated. The room is to be heated by flues passing in various directions under the arched floor, from the furnaces in the first story. We suspect, however, that the speaker will not like his location, as he will be thrown too much in the shade, and subjected to great inconvenience from the want of sufficient light. [*W. City Chron.*

## MR. RANDOLPH—*LATE* LIEUT. U. S. NAVY.

Much having been said in the public papers concerning certain proceedings had against lieutenant *Randolph*—and deeming it probable that some papers will now speedily be published which it will be our duty to copy, we think it is proper to insert the following from the Alexandria Gazette:

*Alexandria, April* 21, 1833.

MR. SNOWDEN: Having, to-day, received a dismissal from the navy of this republic, signed by "Andrew Jackson," after twenty-three years arduous service, devoted to my country, as I have with ardent zeal been, both in war and peace, I think proper to give the public the first annunciation of the fact.

It was about two months ago, immediately after a full and complete examination of my conduct by a court of enquiry convened in Washington under the testimony of many persons, when I was most honorably acquitted as an officer and a gentleman, that the government paper (the Globe) proclaimed me to be a large public defaulter. I then requested a suspension of opinion upon the charge, vouching that the whole of it was infamously malicious, and that I would in time expose the nefarious measures, whereby the base accountant officer, his favorites and coadjutors, were so wretchedly aiming to fix it upon me. This promise I have so far redeemed as to be able to declare, solemnly, that I have very recently completely cancelled, by proper vouchers and testimony, the iniquitous attempt to injure me, and by it brought the department indebted to me not much short of one thousand dollars. My accounts have been most dishonestly, and with the most unprecedented hardihood, protested against, and even the decision of the examining court utterly disregarded.

My counsel will immediately prepare a thorough and very connected statement of the manner in which I have been for nearly four years persecuted; from which the community will clearly discover that I have not had the smallest prospect of any thing like ultimate justice from the department.

I again ask of the public a little further forbearance from making any unfavorable conclusion against me. I pawn my very existence upon the fidelity and faithfulness with which the whole of my duties to my country have been fulfilled.

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Those editors who are accustomed to act independently, and with proper justice to individuals, [especially one who has been dismissed from the high service of his country to gratify the most black-hearted malevolence, fraught with views of the deepest iniquity], will be pleased to give publicity to what I now subscribe my name. R. B. RANDOLPH, late U. S. N.

## MR. CLAY AND HIS COMPROMISE.

*From the Lynchburg Virginian.*

Some weeks ago, we published the proceedings of a meeting held at New Glasgow, thanking Mr. Clay for his successful efforts to adjust the distracting questions which divided the country, and threatened to subvert our happy institutions. A committee having been appointed to forward these resolutions to Mr. Clay, have discharged that duty; and we have been furnished with the following correspondence:

*New Glasgow, Amherst, Va. March 6, 1833.*

SIR—Being aware that next to that soothing influence which the consciousness of having faithfully discharged our duty, the approbation of our fellow men, brings the most gratifying consolation to our bosom—a portion of the citizens of this county assembled for the purpose of expressing their approbation of your course, and of returning you their thanks for your labors in settling those questions which recently seemed about to shake our institutions to the centre. And, in giving expression to their feelings, they adopted the enclosed preamble and resolutions, and appointed us a committee to transmit them to you. In the performance of this pleasing duty, permit us to express our admiration of that patriotism, which could raise itself above the reproaches of friends, and the denunciations of enemies, and taking a general view of the relative interests of our country, could offer up long cherished opinions upon the altar of its country's good. The blindness of prejudice and the inveteracy of party spirit may refuse to award to such patriotism that meed of praise which it may deserve—but when, in the course of time, these shall have passed away, posterity and the faithful chronicles of history will do justice to its purity. With the hope that our country will long have the benefit of your talents, and that, ere long, you will be placed in a situation where they will have a more extensive operation, and with the hope that the sunshine of happiness will ever glow around you, we are, sir, yours, very respectfully,

WM. H. GARLAND,
THOS. R. BROWN,
WM. H. KNIGHT,
ED. A. CABELL.

*To hon. Henry Clay.*

*Washington, 15th March, 1833.*

GENTLEMEN—I duly received your favor of the 6th inst. communicating resolutions which were adopted by a portion of the people of Amherst, assembled at New Glasgow, in which they have been pleased to express their approbation of a measure, for the adjustment of the tariff, which I lately submitted to the senate of the United States. Whilst I feel that your gratification, in common with, I believe, a large majority of the people of the United States, with the amicable settlement of a threatening question, and your partiality towards an humble instrument in the hands of Providence, that had some agency in bringing it about, have induced you to employ very strong and warm language, I request your acceptance, and that of my fellow citizens whom you represent, of my grateful acknowledgments for the testimony which has been thus rendered. You rightly state, that next to the consciousness of having faithfully discharged our public duty, is the approbation of our fellow men. And I shall always cherish, with great satisfaction, that which you have been pleased to communicate.

A crisis had arisen in our country which threatened the public safety and extensive interests of our domestic industry. I thought it possible to avert the impending danger, from both, by a fair compromise. The bill to modify the tariff is founded on the principle of mutual concession. It consults the interests, feeling and opinions of both parties, without affording to either just cause of exultation over the other. And I sincerely hope, that hereafter it may, by restoring a good understanding and friendly sentiments between all parts of the confederacy, lead to an adjustment of the tariff, for a period beyond which it has been particularly provided for in the bill, that will be satisfactory to all.

I offer you, gentlemen, cordial assurances of my sincere regard and esteem, and of my being your obedient servant,

H. CLAY.

*Messrs. Wm. H. Garland, Thos. R. Brown, Wm. H. Knight and Ed. A. Cabell.*

A meeting was also, some weeks ago, held in Danville, at which resolutions warmly approving of Mr. Clay's compromise bill were adopted, and ordered to be transmitted to him. The last Danville Reporter contains the following correspondence on the subject:

*Danville, February 25th, 1833.*

*To the hon. H. Clay.*

SIR—At a large meeting of the citizens of Danville, Pittsylvania county, Virginia, in which men of every political party participated, the enclosed resolutions were adopted.

It was the pleasure of this meeting, to make me the organ of communicating them to you.

I feel honored in having been made the instrument of conveying to you, the sentiments of my fellow citizens upon this subject—and assure you, that it affords me pleasure to discharge the duty imposed upon me, in this particular.

He who has the magnanimity and patriotism to sacrifice long cherished political predilections, to preserve the harmony, union and integrity of these United States, shall ever have (a paltry offering, it is true) the humble tribute of my gratitude and admiration.

I am therefore, with considerations of high respect, your obedient servant, W. R. CHAPLAIN.

The following reply was made by Mr. Clay to a committee appointed by a recent meeting in Danville, Va. held for the purpose of expressing their sentiments in regard to his course upon the tariff question:

*Washington, 14th March, 1833.*

SIR—I duly received your favor of the 25th ult. transmitting certain resolutions adopted by the citizens of Danville, Pittsylvania county, Virginia, in which they have done me the honor to express their approbation of my conduct, in respect to a certain measure, brought forward by me in the senate of the United States, to reconcile and tranquilize the country. Fully appreciating the generous motives which have prompted this expression of their feelings and sentiments, I receive it with lively and grateful sensibility. It appeared to me that the worst possible relations were getting up between the various parts of the country; that men in all sections of it were accustoming themselves to think and speak freely of a terrible event; that ultimate if not immediate civil war was seriously to be apprehended; and there was great danger, if we escaped that calamity, of the sudden overthrow of a system of policy which would have spread ruin far and near. It was under these circumstances that I presented the measure to which you refer. Having been finally adopted by large majorities of both houses of congress, I sincerely hope it may every where be received in the amicable spirit in which it was offered and passed. Of all the misfortunes that could befal our confederacy, there is none equal to that of a separation of its parts; for in its train every other would follow. It is sometimes said that liberty is preferable to union, and so it is in the abstract; but what possible guaranty is there for liberty without union? I pray that all our fellow citizens may be sensible of this undeniable truth; and that, in social intercourse, and the public councils, its influence may be forever felt.

With my thanks for the obliging manner in which you have communicated the resolutions of the people of Danville, and with assurances of high respect and esteem, I am your obedient servant, H. CLAY.

## ARMY OF THE UNITED STATES.

*Adjutant general's office, Washington, March 23d, 1833.*

The following general regulation concerning the term of service and the pay of enlisted men of the army, as established by acts of congress, approved, March 2d, 1833, to increase the pay, and improve the condition of non commissioned officers and private soldiers, is published to the army, for general information, and the guidance of all whom it may concern:—

*War department, March 23d, 1833.*

I. The term of service of enlisted men, is fixed by law at three years, and the premium heretofore allowed to officers, and the bounty to recruits for enlisting, are abolished, from and after the date at which the act of March 2d, 1833, may be received at the several military posts and recruiting stations. Recruits enlisted subsequently to the 2d of March for the period of five years, will be allowed to cancel such engagement—provided they consent to subscribe to a new enlistment for the term of three years, and refund the bounty received in conformity with the former law.

II. All non-commissioned officers of the army will receive the increased rate of pay from and after the 2d day of March, 1833; and all privates in the army enlisted for five years, who have "*served honestly and faithfully,*" two or more years of their term of service, are entitled to receive *full pay*, at the rate of six dollars per month, from the 2d day of March, 1833, to the end of their enlistment.

III. Every private soldier enlisted for the term of three years, who serves "*honestly and faithfully*" the two first years of his enlistment, shall receive the $24 00 *retained pay*, at the next ensuing regular payment of the company; and during the third year of his term of enlistment, he will be entitled to *full pay*, at the rate of six dollars per month.

IV. Every able bodied musician or private soldier who shall *re-enlist* into his former company *or regiment*, within two months before, or one month after the expiration of any term of service, will be entitled to $12 00 *extra pay*, as a bounty, to be paid at the time he may so re enlist, and to full pay, from and after the date of his re-enlistment; he will also be entitled to receive the pay and other allowances which shall accrue on account of the unexpired portion of his old enlistment at the period of its termination.

V. In all cases of *re-enlistment* prior to an unexpired term of service, the date of the new enlistment shall be substituted for the date of the old enlistment, and accordingly, will be inserted in the muster rolls, at the first muster thereafter.

VI. To ensure justice to the soldier, and to enable paymasters to ascertain the proper time at which his *full pay* should commence, and be continued; or when entitled to receive the

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twenty-four dollars *retained pay;* and in case of *re enlistment,* the private or musician, who may be entitled to twelve dollars *extra pay,* it is made the special duty of company commanders, to note on their muster rolls opposite the name of the soldier, the appropriate remarks, as the case may be, to wit:—"*full pay,* due, from ———:" $"24 00 *retained pay,* due:"—"Re-enlisted, $12 00 *extra pay,* due:"—"Entitled to *full pay,* from date of re-enlistment, and also, for ——— month and ———days, on account of prior enlistment, which expired on the ——— day of 183 ."

VII. The following table exhibits the established rates of pay allowed to non-commissioned officers and other enlisted soldiers of the army, as authorised by the law to increase their pay, and by the act to raise the regiment of dragoons, respectively approved, the 2d day of March, 1833.

*Table of established rates of pay—March, 1833.*

| GRADE. | Pay of artillery & infantry soldiers; & of dragoons, when serving on foot. | | | Pay of dragoon soldiers when mounted. | | |
|---|---|---|---|---|---|---|
| | *Pay per month.* | *Pay per annum.* | *Pay for 3 years.* | *Pay per month.* | *Pay per annum.* | *Pay for 3 years.* |
| To the sergeant major, quarter-master sergeant, chief musician, and chief bugler—each | $16 | 192 | 576 | $16 | 192 | 576 |
| To the first serg't of a company | 15 | 180 | 540 | 15 | 180 | 540 |
| Ordnance sergeants | *17 | 204 | 612 | | | |
| All other sergeants—each | 12 | 144 | 432 | 12 | 144 | 432 |
| Corporals | 8 | 96 | 288 | 10 | 120 | 360 |
| Buglers | 6 | 72 | 216 | 9 | 108 | 324 |
| Musicians | 6 | 72 | 216 | | | |
| Fariers and blacksmiths | 10 | 120 | 360 | 10 | 120 | 360 |
| Artificers | 10 | 120 | 360 | | | |
| Privates | 6 | 72 | 216 | 8 | 96 | 288 |

VIII. The public interest no longer justifies the practice of granting discharges to soldiers of the army, before the expiration of their enlistment. The term of service being now limited to *three years,* it is required that every citizen of the United States who voluntarily enlists, will enter the army with the view to honorable employment, and a fixed determination to serve out the full period of his engagement:—Accordingly, *the granting of discharges to soldiers prior to the expiration of service,* by way of indulgence,—and, application for such discharges, are hereafter *prohibited.* Recruiting officers are commanded to explain these points fully to the recruit, before he enlists, and they are charged to make him distinctly understand, that if he should join the army, he must serve the *full term of his engagement.*

BY ORDER OF MAJOR GENERAL MACOMB.

R. JONES, *adjutant general.*

***An act to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion.***

SEC. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passage of this act, all enlistments in the army of the United States, shall be for three years; and that the monthly pay of the non-commissioned officers and soldiers shall be as follows, viz: to each sergeant major, quarter master sergeant and chief musician, sixteen dollars; to the first sergeant of a company, fifteen dollars; to all other sergeants, twelve dollars each; to each artificer, ten dollars; to each corporal, eight dollars, and to each musician and private soldier, six dollars; and that all enlistments in the marine corps, shall be for four years; and that the monthly pay of the non-commissioned officers and soldiers in said corps, shall be as follows, viz: to each sergeant major and quarter-master sergeant, seventeen dollars; to the drum major, fife major, the orderly sergeants of posts, and first sergeants of guards at sea, sixteen dollars each; to all other sergeants thirteen dollars; to each corporal, nine dollars; to each musician, eight dollars; and to each private, seven dollars.

SEC. 2. *And be it further enacted,* That one dollar of the monthly pay of every musician and private soldier, shall be retained until the expiration of the two first years of their enlistment, when each shall receive the twenty four dollars retained pay, which shall have so accrued: *provided,* he shall have served honestly and faithfully that portion of the term of his first enlistment.

SEC. 3. *And be it further enacted,* That every able bodied musician or private soldier, who may re-enlist into his company or regiment, within two months before, or one month after, the expiration of his term of service, shall receive two months' extra pay, besides the pay and other allowances which may be due to him on account of the unexpired period of enlistment.

SEC. 4. *And be it further enacted,* That every able bodied musician or soldier, who shall re-enlist into his company or regiment, as specified in the third section of this act, shall receive his full pay, at the rate of six dollars per month, without any temporary deduction therefrom.

*Being five dollars, in addition to his pay in the line, as authorised by the act, *approved,* April 5th, 1832.

SEC. 5. *And be it further enacted,* That no premium to officers, for enlisting recruits, nor bounties to recruits for enlisting, shall be allowed after the passage of this act.

SEC. 6. *And be it further enacted,* That no person who has been convicted of any criminal offence, shall be enlisted into the army of the United States.

SEC. 7. *And be it further enacted,* That the seventh section of the act, entitled "an act making further provision for the army of the United States," passed on the sixteenth May, one thousand eight hundred and twelve, be, and the same is hereby repealed so far as it applies to any enlisted soldier, who shall be convicted by a general court martial of the crime of desertion.

APPROVED, March 2, 1833. ANDREW JACKSON.

## THE DANGER OF TEA DRINKING.

*From the London New Monthly Magazine.*

The South Carolinians are famous for their fervid eloquence: the tariff, combined with the heat of the climate, is the source of much inspiration. Gen. Hamilton, at a late meeting at Charleston, made a speech which was received with rapturous applause. Among other things he said, "he had himself made an importation, having made a shipment of rice to the Havana, and ordered a return cargo of sugar. He would allow his importation to go into the custom house stores and wait events. He would not produce unnecessary collision; but, if our hopes of a satisfactory adjustment of the question were disappointed, he *knew that his fellow citizens would go even to the death with him for his sugar.*"—[He was interrupted by an unanimous burst of accord.] "Go to the death for sugar!" In the beginning of the revolution, the quarrel with England was about tea. The Bostonians went even to the death for tea! It is now a tax on sugar that is to produce a further split in this great continent. It is curious to think, that that great country should always be going to loggerheads about a cup of tea. Tea must be a very combustible material. *We* have had some ill temper shown on the subject at home, and have put it under a board of control. In the shape of slavery, it has kept this country, and its tea, in hot water for thirty years. Pope speaks of a lady who never took a dish of tea without a stratagem; and it seems she was in the right, for it appears a very dangerous thing. America has fought and bled for its cup of tea first, and is now likely to do the same for sugar to put into it; while the ill blood that has been made here, and the black blood that has been spilt in the colonies, altogether proves a cup of tea to be a cup brimming with strife and disunion. Its effects may be observed on old maids: tea and scandal are always coupled together; but when nations get to their cups the consequences are more serious. The Bostonians threw some hundreds of chests into the sea, and after having made that enormous cup of tea in the bay with salt water, peace was unknown for many years. Now we shall have a series of combats among hogsheads of sugar, more inflammatory than barrels of gunpowder.

## MILITARY CELEBRATION IN SOUTH CAROLINA.

*From the correspondence of the Portland Daily Advertiser.*

*Charleston, April* 1, 1833.

It is April-fools day, and I have been to see the nullifiers play the fool, and have been exceedingly amused, though the rain has been pouring down in torrents, and the mud and slush are over our shoes. The nullifiers have had, and are yet having a grand parade. The volunteers of Charleston have turned out, in full uniform—and with all the show of war, war, horrid war. The truth is they are becoming crazier and crazier. Their late success has made them fully mad—and for aught I see, in a short time, Uncle Sam will have to handcuff the men and lock up the boys.

This morning, according to order from brigadier gen. Hamilton, the volunteers of Charleston, nullifying volunteers, who were to have fought like tigers in the event of war, and who are good looking fellows enough, but who probably love gun powder no better than Yankees—assembled to the number of ——about *five hundred!* There was the republican artillery, with brass pieces—the cadet artillery—Jefferson artillery—(alas for Jefferson)—the Pinckney artillery, the Scotch infantry, riflemen, and I know not how many other companies of the 20,000, who were preparing to flog the whole United States of America, all arranged up and down Meeting street, with horses, ordnance and servants, by 12, A. M. Soon general Hamilton, emperor of the *nation* of South Carolina, the great god of war in this quarter—a Bonaparteau kind of man by the way, with black whiskers, not tall, but compact and stout bodied, rode up and down the ranks on a fine bay charger. He had on two epauletts, yellow plumes, and blue cockade, and drove a horse as well as any Virginian horse racer. Anon there came along amid the sounding of fifes and drums, and trumpets, and the waving of colors, and swords, his excellency, governor Hayne, followed by five aids, all in buff kerseymere breeches, well sworded, well epauletted and well horsed. The line of march was soon formed, and they, the military, in the middle of the street, and the lords of Carolina on horse, and we the people, and they the slaves on foot, soon made our way to the citadel, there to talk of liberty and death and Carolina. During all this nothing happened except some of the horses attached to the heavy ordnance threw off the negroes from their backs into a soft mud bed, and some of the gallant cavaliers in uniform had hard work to bridle up their snorting steeds, terrified as they were by the music of the black band, and the glittering parade of great guns and little guns.

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Arrived at the citadel into which marched the military rank and file—and there we the people, oversetting and nullifying the state guard by the way, who in vain attempted to keep us out. The citadel had lost the awning which over-arched the area. The medallions were all there. The palmettos were all there. The imitation flags were also there. The area below was pretty well occupied with the military. Uniforms of all colors handsomely variegated that part of the house. The ladies bordered the galleries, and we, the people, did as we could, among the multitudes in the portico. Soon governor Hayne came forth from a balcony about 20 feet high, overshadowed by two tall palmettos. His five aids came forth with him, one bearing in his hand a flag.

Governor Hayne then addressed the audience for about fifteen minutes, or rather his "fellow soldiers" as he termed them. He told them that South Carolina had effected the late change in the tariff—that she had stood alone, and never quailed, when the south had deserted her—when a part of her citizens had betrayed her, and when the whole union seemed to be preparing war against her. She had done her duty. She had beaten off the myrmidons of power. She had destroyed the American System—had given it its death blow, and had achieved a glorious victory over tyranny and oppression, over the men who had been taken from her *her* property to pay *their* taxes, and who would have added murder to robbery, by sweeping her cities, desolating her fields, and destroying her citizens. Then taking the flag from the hands of the aid, he shook open the folds, and displayed the arms of the state, and Carolina's palmetto—and large gold letters engraved upon it—"*liberty, it must be preserved*," (though a hundred black slaves were gaping about)—and after making some fine remarks on the value of the gift, as the highest honor he could bestow, handed it to a staging some feet below him, to brigader general Hamilton, as commander of the volunteers of South Carolina. During this speech, which was delivered with gov. Hayne's usual eloquence, the volunteers were constantly hurrahing, clapping, vociferating and thumping their muskets on the floor.

General Hamilton received the standard from the executive, whom the state had made its organ, said that he valued it dearly, but valued it more presented by such hands—and after cannonading the union, and exhibiting chivalry, Carolina attachment to liberty, Carolina activity, and calling his old friend gen. Jackson, whom he made president, "an infuriate despot," who would murder Carolina's sons and whose myrmidons were ready at his command to make the streets of Charleston run blood—averred, that Carolina had not a gun, nor a magazine of gun powder, nor a piece of ordnance mounted when the tariff was nullified, yet in five weeks she had four thousand men, enough to take the capitol, and powder enough to blow it up! Hurrah for Jackson! Men, girls and boys clapped this sentiment. Hurrah for Carolina! Hurrah for Hamilton!

General Hamilton then handed over the flag to one ensign Frost, who received it and made a speech which I could not hear.

When general Hamilton waved the flag, the volunteers clapped beyond all calculation. He and Hayne were both received with great enthusiasm. They are commanders-in-chief of the hearts of the nullifiers, as well as of their forces. I could not but note, that when general Hamilton averred he had men enough to take, and powder enough to blow up the capitol, a new torrent of rain immediately poured down on his bare head, for his cap was off, as he addressed the soldiers, but I did not see that it cooled the fire within, for not long after he said, "all the land our enemy could stand upon in Carolina, was land enough to make his grave."

This afternoon we are to have a salute of a hundred guns near the battery. The military with general Hamilton at their head, are returning from the dinner at the citadel, and if the rain has not sufficiently cooled their courage, will finish off the day in as fiery mode as they have begun. Truly the nullifiers are odd men. I know not what to make of them. They have heads, ears and bodies like the rest of us—and are no monsters in form, but they talk so boldly and act so madly, that I can't but think it would be a good plan to induce the union men to go to Alabama and Mississippi, and settle on government lands, and then make this "the Bedlam" of the union, a house for mad politicians, and give gen. Hamilton the command. Though I have been here but a fortnight, I have seen so much of arms, and heard so much of war, that I sigh for a land of peace.—Charleston is too much of a camp for me. B.

## MANDAMUS FROM THE SUPREME COURT.

*From the N. Y. Commercial Advertiser.*

The following is a copy of the mandamus *ex parte* Martha Bradstreet, issued by the supreme court of the United States. It is presumed to be the first of its nature ever issued by that tribunal, and as such may be interesting to the gentlemen of the legal profession.

*United States of America, ss.*

The president of the United States of America to the L. S. honorable Alfred Conkling, judge of the district court of the United States for the northern district of New York, greeting:

*Whereas*, one Martha Bradstreet hath heretofore commenced and prosecuted, in your court, several certain real actions, or writs of right, in your court lately pending between the said Martha Bradstreet, demandant, and the following named tenants, severally and respectively, to wit: Apollos Cooper, and others. [Here follow the names of many other persons.]

*And whereas* heretofore to wit, at a session of the supreme court of the United States, held at Washington on the second Monday of January in the year one thousand eight hundred and thirty two, it appeared upon the complaint of the said Martha Bradstreet, among other things, that at a session of your said court lately before holden by you, according to law, all and singular the said writs of right then and there pending before your said court, were, by the orders of your said court, upon the several motions of the tenants aforesaid, dismissed, for the reason that there was no averment of the pecuniary value of the lands demanded by the said demandant, in the several counts filed and exhibited by the said demandant against the several tenants aforesaid; which orders of your said court, so dismissing the said actions, were against the will and consent of said demandant:

Whereupon the supreme court, at the instance of the said demandant, granted a rule requiring you to show cause if any you had, among other things, why a writ of mandamus from the said supreme court, should not be awarded and issued to you commanding you to reinstate and proceed to try and adjudge, according to the law and right of the case, the several writs of right aforesaid, and the mises therein joined: *And whereas*, at the late session of the said supreme court, held at Washington on the second Monday of January, in the year one thousand eight hundred and thirty-three, you certified and returned to the said supreme court, together with the said rule, that after the mises had been joined in the several causes mentioned in the said rule, motions were made therein, on the part of the tenants, that the same should be dismissed, upon the ground that the counts respectively contained no allegation of the value of the matter in dispute, and that it did not therefore appear, by the pleadings that the causes were within the jurisdiction of the court; that in conformity with what appeared to be the uniform language of the national courts upon the question, and your own views of the law, and in accordance especially with the several decisions in the circuit court, for the third circuit, (see 4 Wash. c. c. rep. 482, and ib. 624) you granted their motions:—And assuming that the causes were rightly dismissed, it follows, of course, that you ought not to be required to reinstate them unless leave ought also to be granted to the demandant to amend her counts: *And whereas*, afterwards, to wit, at the same session of the said supreme court last aforesaid, upon consideration of your said return and of the cause shewn by you therein against the said rules being made absolute and against the awarding and issuing the said writ of mandamus, and upon consideration of the arguments of counsel, as well on your behalf, shewing cause as aforesaid, as on behalf of said demandant, in support of said rule, it was considered by the said supreme court, that you had certified and returned to the said court an insufficient cause for having dismissed the said actions, and against the awarding and issuing of the said writ of mandamus, pursuant to the rule aforesaid; the said supreme court, being of opinion, and having determined and adjudged upon the matter aforesaid, that in cases where the demand is not for money, and the nature of the action does not require the value of the thing demanded to be stated in the declaration, the practice of the said supreme court and the courts of the United States is to allow the value to be given in evidence: that in pursuance of this practice, the demandant in the suits dismissed by order of the judge of the district court, had a right to give the value of the property demanded in evidence, either at or before the trial of the cause, and would have a right to give it in evidence in the said supreme court, consequently that she cannot be legally prevented from bringing her cases before the said supreme court: and it was also then and there considered by the said supreme court, that the peremptory writ of the United States issue requiring and commanding you, the said judge of the said district court, to reinstate, and to proceed to try and adjudge according to the law and right of the case, the several writs of right, and the mises therein joined, lately pending in your said court, between the said Martha Bradstreet, demandant, and Apollos Cooper, and others, the tenants aforesaid: Therefore you are hereby commanded and enjoined, that immediately after the receipt of this writ, and without delay, you reinstate, and proceed to try and adjudge, according to the law and right of the case, the several writs of right, and the mises therein joined, lately pending in your said court, between the said Martha Bradstreet, demandant, and the said Apollos Cooper, and others, the tenants herein above-named, so that complaint be not again made to the said supreme court, and that you certify perfect obedience and due execution of this writ, to the said supreme court, to be held on the first Monday of August next. Hereof fail not at your peril, and have then this writ.

Witness the hon. John Marshall, chief justice of said supreme court, the second Monday of January, in the year of our Lord one thousand eight hundred and thirty-three.

WM. THOMAS CARROLL,
*clerk of the supreme court of the United States.*

## CASE OF TOBIAS WATKINS.

We borrow the following neat, and, no doubt, faithful abstract from the Baltimore American of Wednesday last:

The National Intelligencer of yesterday contains the opinion of the United States circuit court for the circuit, in the case of the U. States *vs.* Tobias Watkins. It occupies nearly five of the spacious columns of that paper, but the particular points of the

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decision are few and easily abstracted for the use of the general reader. The reasonings and authorities cited are for the lawyers alone.

Watkins was sentenced, on his conviction in August, 1829, to three terms of imprisonment, of three months each, making nine months in all, and to pay fines to the amount of $3,050. The court did not order him to stand committed until the fines were paid, leaving the United States to the civil process of writ and execution to recover the amount. Writs of execution against the goods of the defendant *(fi. fa.)* were issued and returned without success *(nulla bona)*; and then in February, 1830, writs of execution against the body (*ca. sa.*), were issued, returnable at the May term. The writs were never returned, and the defendant remained in prison. Nothing appeared on the records until January 10th, ult. when the papers were filed by the late marshal, endorsed "*Cepi*, delivered over to my successor in office."

On the 14th of January last, the defendant sued out a writ of *habeas corpus* in the supreme court of the United States, as heretofore published. The court granted the rule, and on argument made it absolute, and granted the writ. The defendant was accordingly discharged, but was immediately arrested upon new writs (of ca. sa.), without purporting to be *alias* (writs reciting the issuing of the former writs unsuccessfully), and without having revived the judgment by *scire facias*, although several years have elapsed.

Upon the return of these new writs, the motion was made to commit, which was resisted by the counsel for Watkins, upon the following technical grounds.

1st. That the defendant could not lawfully be arrested and held in custody upon these writs, after having been taken and discharged upon the former writs.

2dly. That these writs ought not to have been issued without previous *scire facias*, more than a year and a day having elapsed between the issuing of them and of the next preceding writs.

3dly. That the fines were excessive, and amount to a sentence of perpetual imprisonment.

The court decided in favor of the defendant on the first point, which made the discussion of the other two unnecessary.

The opinion of the court placed the discharge of the defendant upon the general principle that no man should be arrested twice for the same cause. Watkins having been arrested on a *ca. sa.* and discharged upon the return of the *habeas corpus* was legally out of arrest; the only exception to the general rule being a case of *escape*, in which, by legal construction, the prisoner is still under lawful arrest. The United States might have had the full benefit of their judgment and execution if the marshal had duly returned the first writ of *ca. sa.* and the counsel had appeared for the United States, and moved the commitment. But having neglected their rights on that occasion, they are estopped from pleading the negligence of their agents, and the retention of the prisoner beyond the return day of that writ was illegal.

An objection was made in behalf of the United States that this rule applies to *civil cases*, and that the present being a criminal case was not within the rule.

The court ruled, that the process which the United States sued out to recover the fine, is founded upon the law and practice of Maryland adopted in the district. That law, in granting such writs for the recovery of fines, requires that "such proceeding should be had thereon, as in cases when similar writs are issued on judgments obtained in *personal* suits." The United States, therefore, proceed *civilly* in the recovery of fines, by the express grants. The supreme court decided on the application for the *habeas corpus* that the United States are bound, by the Maryland practice, to proceed *civiliter*.

For these technical reasons the motion to *commit* was overruled, the writs ordered to be quashed, and the defendant Watkins discharged.

In this abstract we have, as the reader will observe, noticed only the leading points, not precisely in the order of the opinion, but briefly condensed for the sake of perspicuity. The court were unanimous in the opinion.

## COMMODORE TUCKER.

For the following interesting sketch of this veteran, lately deceased, we are indebted to a Boston paper.

Died—In Bremen, Me. Com. SAMUEL TUCKER. He was born 1st November, 1747, O. S. at Marblehead. At the age of 11, he was placed by his father, a respectable ship-master, on board of the Royal George, a British frigate. At 17, he performed one of the most heroic acts of his life, in rescuing a schooner and crew from a Salian and Algerian frigate. In rescuing this vessel a day's sail from Lisbon, he was compelled to force the cowardly master (who was intoxicated at the time) below; and as Tucker's brother was mate, the command devolved on him; but he fearing to take the helm, our young hero seized it himself, luffed up under the bow of the windward frigate, being between the two, and having previously arranged additional sail, and dowsed the signal lanthorn at the yard arm, he was for some time exposed to a shower of grape within almost pistol shot. But by a series of tacking and retacking, the cool courage and superior seamanship of Tucker, brought both crew and vessel safely within the harbor of Lisbon the next day. No sooner was he anchored, than he went below, and with an apology for the course he was compelled to pursue, gave up the vessel to her lawful commander. But this cowardly and ungrateful man, placed him under a false pretence, on board of a British frigate then in port. The captain of the frigate was not slow in learning the true particulars of the case, and the result was, that the commander of the frigate took the first opportunity to reward Tucker's merit by promotion, and from this he attained the rank of one of the most accomplished ship masters in this country.

In the British service he studied the naval tactics of the day with great success, and his knowledge of their system gave him great advantage over them afterward. Just before the revolutionary war, he sailed as master of the ship *Phenix*, from Boston for London, and not long after his arrival, learned the commencement of hostilities, and the news of the Bunker-hill fight. Sometime before his departure from London, as he was one day conversing with an American captain, (Folger) he saw a number of boxes of arms, &c. directed "*Boston*," and as the officer inspecting their shipment passed, Tucker observed in his hearing, that "he would go 100 miles barefoot if those arms could so far mistake their direction as to arrive at Cambridge instead of Boston." Not many days after this, he was offered the command of a British armed vessel, or a commission under Gage, which he indignantly refused.

Late in September, 1775, he took passage in a ship belonging to the celebrated Robert Morris; and to his great presence of mind and superior seamanship, (which saved both ship and lives in a tremendous gale home), was Tucker indebted for that introduction to Mr. Morris, which secured to him ever after, the active patronage of that distinguished statesman. He reported himself to the camp of Washington, at Cambridge, and there received a commission as lieutenant under his friend col. Glover, even before he visited his own family. While at Cambridge he had occasion to observe a singular coincidence. The very boxes of arms, &c. that he saw in London, marked "*Boston*," had been captured by captain Manley off cape Ann, and were then actually before his eyes.

He had been at home but a few weeks, awaiting the orders of his commander, when, as he was amusing himself by catching some small fish through holes in the ice, not far from his own house, an officer in full dress rode up in great haste, and inquired of him "if he knew where the hon. Samuel Tucker lived?" The hon. Samuel Tucker, (muttered he, with much emphasis on the word honorable), it must be one of the family in Salem. The officer replied, that could not be, as he heard col. Glover direct gen. Washington to that part of Marblehead near where they now were. "My name is Sam Tucker," was the reply, "and I am the only Sam Tucker hereabout; so, sir, I think there must be some mistake in the name." The officer began to suspect that he had found his man, which Tucker as resolutely denied; and after a most amusing dialogue, on *personal identity*, Tucker sued for a truce, by inviting the officer into his house, and after a glass or two of *old particular* and a cold slice, the officer, whose orders would not admit of delay, left the package and took French leave, knowing from some circumstance concealed from Tucker, that he had found the rightful owner. Unwilling to break the seal of so important a package, Tucker in the evening invited his friends col. Orne and Mr. Gerry to meet him, to whom he communicated all the circumstances. Col. Orne without hesitation opened the package, and found Tucker's first commission in the navy signed by Geo. Washington, with his private seal attached, with two blank commissions for his lieutenants! These commissions was to the command of the FRANKLYN (with a y instead of an i) remarkable for its brevity and unostentatious appearance, and is now in possession of the family, with many other valuable papers from Jefferson, Adams, and the other distinguished men of that day. Not long after this, Manley being sick at Beverly, Tucker received a commission as commodore, signed by Sam'l Adams as chairman of the naval committee, and others. This is said to be the first written commission as commodore, in the gallant little navy of our revolution. No commander was more successful than Tucker in all the various situations in which he was placed, and although he was engaged frequently with vessels of superior force, he always conquered. Time will not now permit me to enumerate the battles he fought, some of which with a courage bordering on desparation.

The war left him in affluent circumstances, and it was then thought an honor to attend the levees of this gallant officer. Under such circumstances he was too generous and patriotic to press his claim on government; and although the justice of it has since been acknowledged by at least one secretary of war, it remains unpaid. With a liberality and carelessness characteristic of an old sailor, he loaned his name to his friends for large sums and soon found himself stript of his property.

Although a former secretary of war had reported the sum of 1,200 dollars a year to be his due from government, he remained without a cent from government, until a few years since, when he received $20 per month; this last winter the stain of ingratitude was partially wiped away, by an annuity of $500 per year settled on him by government.

The Portland Advertiser, after noticing the death of the "tough old commodore," on the 10th March 1833, says—

Two anecdotes of captain Tucker, I have heard from good authority, and suppose them to be authentic, which I submit to your disposal. When Mr. Adams was sent to France, in 1777, to negotiate a treaty of alliance with that nation, capt. Tucker was employed to convey the ambassador in the public ship which he commanded. The captain had positive orders to make no delay for the purpose of taking any prizes from the

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enemy, and run no risk by any conflict on the passage that he could avoid, but to convey his passenger with as much expedition and safety as possible. British vessels were frequently seen on the passage, which would make fine prizes, and were suffered to pass unmolested. The officers began to importune the captain to improve his advantages; but he could not disobey his orders. At length a fine English ship appeared at a distance in good weather, and the officers desired the captain to go below, and they would take charge of the ship. Having got the command they hove down for their expected prize. The enemy's vessel made no attempt to escape, but as the Americans approached, suddenly opened her port-holes and prepared for action. It was an armed ship, and of equal size with the American. An officer went below and informed the captain they had got into difficulty and must have his assistance. Tucker came on deck, saw their situation, and gave orders to prepare for action. He then went to the cabin and told Mr. Adams that they were under the necessity of an encounter, and that he must keep where he was. The envoy chose to go on deck. Tucker told him no, he must not expose himself to danger. He then ran to the deck and speedily prepared for action. As the ships drew near each other, the enemy fired a broadside which took off one of Tucker's upper spars, and it fell suddenly upon the deck. The captain looked at the spar, and very near where it fell, stood Mr. Adams; he had found a gun and with his knife was fixing the flint. The enemy, seeing they had not disabled the American, hauled down their colors, before captain Tucker had fired a shot. He immediately hailed them and directed an officer to come on board. The officer came, and looking round, says, "If we had known you had been no stronger we would not have submitted so." "Very well," says Tucker, "we take no advantage, go back and we will try it out." "If I have such men to deal with," said the officer, "I will let it go as it is." Captain Tucker took possession of his valuable prize, and arrived safely in France.

At the time of our difficulties with the government of France, in 1798 and '99, when our infant navy rose suddenly into existence, there were numerous applicants for navy appointments. The most of them persons who had been in the naval service during the revolution. Captain Tucker, with characteristic modesty kept at home. It was well known that he was a good officer, and that president Adams was his friend. A short time before the principal naval appointments were made, it was published in the newspapers at Philadelphia that captain Tucker was dead. Announced in the usual manner, and no one questioned the fact. The principal officers of the navy very soon received their appointments. It was afterwards found that capt. Tucker was living, and an office was offered him. But it would place him below those who had been his inferiors in rank; and he refused to accept it.

## FINANCES OF PENNSYLVANIA.

Report of the committee of ways and means to whom was referred so much of the governor's message as relates to the subject of finance. Mr. Read, chairman. Read in the house of representatives, March 22, 1833.

The committee of ways and means, to whom was referred so much of the executive message as relates to the subject of finance, report:

That they have had the subject under consideration, and have not failed to perceive, that under existing circumstances, it is a subject of all absorbing interest to the community. The committee has also noticed, that in reference to this subject, much misapprehension and error is pervading the minds of many citizens of the commonwealth; that being a subject too abstruse and complicated, to be fully investigated in the time that can be spared from the ordinary avocations of life, by the great majority of the people, the timid politician and the cursory observer have taken such an indistinct view of its outlines, as to alarm themselves and their neighbors; while the interested and designing politician has seized upon it as a political lever, to move the passions and raise a general panic. The subject of finances not having been generally understood, and often having been wilfully misrepresented, some despondency has been felt, and some fears have been and perhaps are entertained, of state insolvency, or at least of impaired credit and perplexing embarrassments.

The executive department informs us, that the treasury at the present time, "exhibits a state of prosperity highly propitious to the credit of the commonwealth," and "dispenses with the necessity, at present, of forming plans for the future increase of the state revenues." And your committee cannot but congratulate the house, upon the unexampled prosperity of our financial condition, as demonstrated by the fact, that the requisite loans are obtained, at a higher premium than has ever been received by the similar operations of any state or country; and upon the immeasurable benefits, which are reasonably and confidently anticipated to result to the community, from the expenditure of large sums of money in public improvement. To counteract the deleterious effects of misapprehension, misrepresentation and error, upon a subject, though not generally understood, yet universally and personally interesting to every citizen of the state—to show that there is no foundation in fact, for apprehension and despondency, and to correct the errors afloat in reference to this subject—to corroborate the sentiments expressed by the fiscal department—to compare the resources of the commonwealth with the liabilities incurred, and thereby exhibit the solid foundation on which the public credit is based—and to justify the congratulations tendered, by demonstrating the truth of the position, that the *national wealth* of Pennsylvania has not been diminished, but on the contrary, has been increased and permanently secured, (provided the original design be consummated) by the expenditure, or rather, by the *investment* of large sums of money; have been embraced in the purposes of your committee, on the present occasion. In what degree these purposes and intentions have been realized, is most respectfully submitted to the house, and to the country.

As the ordinary revenues of the state, independent of the additional supplies provided by the act of 1830, are more than sufficient to meet the ordinary expenses of the government, it is not deemed necessary by the committee to consider the subject of finance, in any other point of view than, 1st, with reference to those measures which have induced a resort to a system of loans, for the purpose of maintaining the character and dignity of the state in its national capacity, and of increasing the wealth and promoting the prosperity and happiness of its citizens in their individual capacities. And, secondly, in reference to those measures rendered necessary to secure the payment of the interest on those loans.

Much difficulty has occurred in the science of political economy for the want of technical terms, and undisputed definitions. The term wealth, for instance, has been applied to states or nations, and has been understood by the great mass of mankind in the same sense in which it is used when applied to an individual, when no two things can be more distinct than the wealth of a nation and the wealth of an individual. He therefore who talks about national wealth without making the proper distinction, will just as certainly come to an erroneous conclusion as he who leaves out one term in a mathematical calculation. It has been perhaps unfortunate that the term wealth was ever applied to a nation, or that some other term had not been invented and appropriated to the idea, which we attach to the term individual wealth. But as we have only one word for two distinct ideas, it becomes necessary to the correct understanding of a subject requiring its use, to give clear and distinct definitions of its meaning, when used for different purposes. *Individual wealth is such an accumulation of property as will enable a man to procure the necessaries and comforts of life without his own labor, mental or manual.* Every man thus situated is termed wealthy, while no man, who is *obliged* to cultivate his farm, superintend mercantile operations, or exercise his trade or profession, whatever may be his ability to acquire property, can be so denominated. Individual wealth may consist of lands, money, or other property; but in order to constitute wealth, it must be convertible into the necessaries and comforts of life at the pleasure of the possessor.

If a man has millions of acres of land, which he can neither sell nor rent; or if he is master of the mines of Mexico, and can neither loan his money nor exchange it for the necessaries and comforts of life, he is absolutely destitute of wealth. So he may, by means of a profession or otherwise, possess the ability to acquire those necessaries and comforts in the greatest profusion, yet if his income does not accumulate so as to enable him to receive them, by the use, sale or exchange of property, he is equally destitute of wealth. Thus we have a correct definition and perception of the term, as applied to an individual. In this sense of the term, a nation (considered as it should be, a unity, with a unity of rights, possessions and interests), cannot possess wealth. No nation ever has accumulated, or ever can accumulate so much property, as would furnish it with the necessaries and comforts of life, for a month, or a week, without industry. A nation cannot sustain existence, as such, without labor; it cannot rent or sell its territory without committing political suicide; and if it had mountains of gold and silver, the shipping of the world constantly employed, could not import the necessaries and comforts of life required, nor would the surplus productions of all other nations constitute the necessary supplies. It is evident, therefore, that a nation must sustain itself by its labor, its active industry, or it must cease to be. It cannot, for the shortest period of time, rely upon accumulated treasure; it cannot possess wealth, as that term is applied to an individual. What then is national wealth? *It is a capacity to acquire, by its own exertions, the necessaries and comforts of life.* It is rather a faculty, than a possession. It does not depend on the greater or smaller amount of the precious metals, (the representatives of necessaries), that may be deposited in a public treasury, nor does it depend on the accumulation of surplus productions, as that surplus can never bear any comparison with the wants of a nation or state. It may be affected in some degree by salubrity of climate and fertility of soil, but it cannot chiefly depend on these; or else why do we see Holland, (originally a cold and unproductive marsh), overflowing with national wealth and prosperity, while Spain, with the finest climate and most luxuriant soil, is poor and weak, and wretched in a national point of view? Why do we see New Hampshire with its long winters, its rugged climate and its sterile granite surface, enjoying a high degree of national wealth, while Georgia and the Carolinas are groaning under the pressure of national poverty and threatened bankruptcy, notwithstanding their advantages of climate and productiveness of soil? It is the difference in national industry, it is labor, the employment of the bone, the sinews, the faculties of man that has produced this difference of condition. What has multiplied the population, enhanced the value of land, increased the agricultural productions, doubled the necessaries and comforts of life, and trebled national wealth and resources in the states of New York and

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Ohio, but the new impetus given? the active stimulant applied to national industry, by the loaning and expenditure of large sums of public money in the construction of valuable improvements? thereby aiding and fostering individual enterprise.

National industry may be more materially affected by measures of government, and before we determine what effect any measure may have, in respect to national wealth, we must institute the inquiry, what will be its influence on national industry? The *same* measure may promote both individual and national wealth, but not *necessarily*. The encouragement of lotteries, of the manufacture and distribution of ardent spirits, or of a slave trade, may, usually does produce great individual wealth; while the consequences to national prosperity are deleterious in the extreme. This results from the paralysing influence of these and similar pursuits on honest industry, the cultivation of the earth, and the development of its exhaustless treasures. The sentence has been pronounced, that "man shall eat his bread in the sweat of his brow," and if some individuals have escaped the penalty, *no nation can avoid the sentence*. The earth is the only fountain, labor, mental or manual, the only cause of national wealth; it does not depend on local situation, luxuriance of soil, the possession of capital, or surplus productions, as has been shewn.

It follows then as a sequence, that whatever measures promote the industry, necessarily increase the national wealth of Pennsylvania. If she expends a million of dollars in public improvements, or otherwise, and thereby increases industry to the amount of a million and a half, she is the gainer by half a million, notwithstanding the removal of the specie from her vaults. That active industry has been promoted and increased in this state, by an amount which is represented by many millions of dollars, by the construction of our public works, no one will pretend to deny, as it must be admitted, that while the labor was being performed on those works, the creation of a home market perceptibly augmented the question of mechanical and agricultural industry in the commonwealth. Thus it would appear that our works, even now while in an unfinished state, have actually increased the wealth of the state, notwithstanding the amount of debt. Even war, with all its desolating and lamentable consequences, may, and often does augment the wealth of a nation, by administering a powerful stimulant to industry, although the money expended perishes in the using, and leaves nought behind but the monuments of folly or ambition. The English wars furnish striking examples of this truth. Industry is promoted by the additional demand for labor, by calling into action the dormant energies of the nation: for every nation possesses a vast amount of unexpended labor, or in other words, a vast number of people who are idle a part or the whole of their time. But your committee are not the advocates of war for this purpose, being well aware that the nameless evils of a belligerent attitude greatly overbalance the benefits of increased industry and national wealth. Not so with expenditures for public improvements; they possess all the advantages of a war expenditure, with none of its disadvantages; and hence there is not an instance on record of a public improvement without the augmentation of national wealth, that is, an increased capacity to acquire the necessaries and comforts of life.

Nothing can be clearer, than that independently of the labor of construction, and the incalculable amount of active industry created in the development and distribution of our mineral treasures, agricultural and mechanical labor has been increased, an amount sufficient to produce the necessaries of life, for so many laborers as have been actually employed on those works and in the coal trade. Because the necessaries of life have not become scarce, and if they bear a higher price, this is not attributable to scarcity, but to the increased facilities of sending them away for foreign consumption. It therefore follows that there has been a greater production; consequently Pennsylvania has increased her national wealth. The better access to foreign markets will continue "in all time to come" to stimulate the farmer and mechanic, to extend cultivation and multiply productions, presenting new and strong motives to employ idle men and unexerted strength, in all places abundant. And the patriot luxuriates in the anticipation of the countless blessings to result from his philanthropic exertions. National wealth consists in the production, not in the accumulation of the necessaries and comforts of life, as some writers have supposed—indeed the direct and palpable effect of accumulation is to encourage idleness, paralyse industry and decrease a nation's wealth, always, and under all circumstances, depending on the amount of labor, compared to the number of persons to be sustained. National wealth is not *necessarily* affected by the existence of a national debt, which may, indeed, cause the wealth to flow in a different channel, but cannot diminish its amount, unless it becomes so enormous, (as is the case with the English debt), that the expenses of collecting the interest from one portion, and distributing it to another portion of the citizens, becomes oppressive to the people. In any other case, national wealth and prosperity are no more affected by the existence of a national debt, than is the wealth of an individual, by withdrawing his funds from one bank and depositing them in another. Your committee does not adopt the maxim that "a national debt is a national blessing," the maxim is not true in the abstract. A national debt may be a great national curse, but it is not *necessarily* so. A government or nation, or state, is an artificial being, created for the benefit, and intended to concentrate the energies of the people. An agent or factor, the mere creature of an indefinite number of human beings, and bound to promote the interests of the principal, from whom it derives its existence. It might as well be contended that an individual can in no case promote his own interests, by a transaction necessarily incurring a debt, as that the agent of the people cannot, under any circumstances, advance the general interest of society, by measures resulting in a state debt. It is of no importance what amount of liability is incurred, by the corporate artificial agent, provided it promotes the prosperity and happiness of the people. Any debt contracted by a state, within the compass of its resources, and the proceeds judiciously expended in bettering the condition of the people, by creating domestic, and opening communications with foreign markets, and in stimulating national industry, is a national blessing; or more correctly speaking, *the concomitants of the debt are national blessings*. Such in the opinion of the committee, is the state debt of Pennsylvania.

Some have been alarmed at the idea of "bequeathing to posterity an onerous public debt." This idea, as it is commonly received, is a mere chimera of the imagination. The thing is utterly, naturally impossible. The credit side, as well as the debt side of the account, must descend to a subsequent generation. The effect of a national debt may be, to require one portion of posterity to pay a sum of money, or the interest of it, to another portion of posterity. If the money is to be paid by our descendants, an equal sum is to be received by them. If the money be by us expended, in permanent improvements, those of our descendants who may be required to pay will have received a valuable consideration, and will therefore be indebted; and those who receive will be of the same generation, and will have inherited the boon from the same age which transmitted the liability to pay. Where, then is the injustice complained of? There is not the slightest. To require future generations to pay for us, to our use, is an impossibility. A nation is a unity, and the liability of one integral part to pay to another, cannot, in the slighest degree, affect the wealth of that unity.

Your committee are anxious further to remove the prejudices that may, and undoubtedly do exist on the subject, by considering it in a strictly pecuniary point of view, and by presenting the public expenditures merely as an investment, isolated from all the benefits anticipated in reference to the character of the state, the effect on national industry, the enhanced value of real and personal property, and increase of individual wealth. In doing so, however, your committee will take it for granted that the original design of the fathers of our improvement system, is to be carried into effect; that the waters of the Delaware and lake Erie are to be united. The "first impetus," it has been said, was given to the "splendid project" by the canal convention of 1825. But what gave the first impetus to the spirit of improvement in Pennsylvania? What roused the people on the subject? What induced their primary movements—the election of delegates to assemble in convention? The notorious fact, palpably visible to the most superficial observer, that while public improvements were projected and being executed in New York, Ohio, Maryland, N. Jersey, and many other states, it would be utterly impossible for Pennsylvania, (possessing as she did, wealth and resources beyond any state in the union), to maintain her high character and "noble bearing," in the sisterhood of the states, if she longer neglected to join in the march of improvement. Penetrated with these views, and instructed by the people, with scarcely a dissenting voice, the delegates—the sages of the commonwealth—assembled in convention at Harrisburg. In that convention, comprising, as is universally acknowledged, the collected wisdom of the commonwealth, was concocted the spirit of improvement which had agitated and moved the people—was digested and arranged, a system of improvement highly interesting to the state, and without which, she must have gradually sunk into obscurity and contempt; must have become, comparatively speaking, a dreary and a desolate waste, in the midst of rich, flourishing and happy republics. It was more a matter of necessity, than choice, that urged Pennsylvania into these measures. The convention of 1825 saw, with a prophetic vision, the proud monuments of a nation's glory—the splendid improvements—springing into being along our borders, to the north and the south, to the east and the west, the direct tendency of which must be, to paralyse our national industry, to cramp our energies, to reduce the value of our lands, to prevent the settlement of our forests, to entice away our citizens, and in a measure, to depopulate our country; unless these injurious, these appalling results could be counteracted by corresponding improvements in the physical and political condition of Pennsylvania. It was not a spirit of envy, but of honorable and glorious competition, and a necessity of self preservation, that actuated the convention in its examination of the premonitory symptoms of disease and decay in the body politic, and induced the search, the discovery and the recommendation of the only antidote that could restore us to political health and vigor. That antidote to premature decay and national dotage, was nothing short of the construction of an *entire, uninterrupted water communication* between the river Delaware and lake Erie, "by the best and most feasible route."

That such was, in truth and in fact, the object designed by the original projectors and friends of the internal improvement system of Pennsylvania, your committee need not stop to demonstrate; other, than by a reference to the proceedings of the convention, to the responses of the people, to numerous acts of assembly on your statute books, and to all the records and documentary evidence on the subject, in the legislative archives,

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and Pennsylvania library. This policy has been approved and sustained by successive legislatures, coming fresh from the people, down to the present time—temporarily suspended, it is admitted, by sectional feelings and local prejudices, but in the main adhered to and cherished by the sovereign people. And especially too, when we reflect and are satisfied, that the motive and the necessity which now urge us on to the final completion of the works originally designed, are stronger, and more imperative than those which first awakened our slumbering energies, and warned us of the dangerous consequences of continued inaction. When we reflect on the amount of treasure already expended, which must be accounted as measurably lost, if the improvements are to terminate with the present contracts, and the system to be abandoned; when it is recollected that such abandonment would *perpetuate* an onerous system of taxation on our citizens, without the hope of relief or mitigation; when we anticipate the deeper mortification we should feel at the taunts and sneers of our neighbors, after having abandoned our boasted system of rival improvements, than we should have experienced if we had never been roused from our lethargy. When it is remembered, that a few of the public spirited citizens of Philadelphia, have within the last few years, expended more than eight millions in public works, and that the great state of Pennsylvania possessing, as she does, tenable property to the value of more than three hundred millions, cannot shrink from an expenditure treble the amount of that of one of her towns; that our improvements, when finished, are to extend to the remotest corners of the commonwealth, and to unlock the agricultural and mineral treasures of every portion of our territory; that the consumption and demand for mineral coal outrun the supply, and will continue to do so for half a century to come; that Pennsylvania must furnish that indispensable article of life to nearly all the states in the confederacy, and to the British dominions on the north; that the coal beds of Pennsylvania, without the means of sending them to market, are valueless from their inexhaustible abundance; but if unlocked, by a wise and fearless policy, those black masses are convertible into gold and silver, and what is still better, the necessaries and comforts of life, becoming in fact, bottomless reservoirs of individual wealth, and never failing fountains of national resources. That the investment of capital in canals is no longer a matter of experiment, that the experiment heretofore made in the state of New York has been successful, even beyond the warmest hopes of its most sanguine friends, without the advantages, to any considerable extent, of mineral wealth, for freight, which Pennsylvania possesses in a pre-eminent degree. That the Erie canal, during the progress of its construction, encountered an opposition, more determined, than has ever appeared in Pennsylvania in reference to her works, and that within three years after its completion every note of censure was hushed, and every voice echoed the meed of applause accorded to the authors of that splendid monument of patriotic perseverance in well doing. That that improvement, the first year after it was finished, produced $805,732 34 in the item of tolls, and in the sixth year, $1,223,802, being an annual average increase of eleven and two-tenths per cent. furnishing the most incontestible evidence that a few years operations will not only refund the cost of construction, and extinguish the state debt, but pour into the treasury millions of revenue, to be applied to future improvement, either physical or mental; a sum undoubtedly sufficient, if applied to the latter object, to educate every child in the state at the public expense. When, too, it is recollected that the infant state of Ohio, within the memory of the middle aged among us, a desolate and apparently an impenetrable wilderness, the silent and undisturbed abode of the wolf, the panther, and the red man of the forest, has since the adoption of the policy of New York, doubled her population, trebled the value of her lands and agricultural productions, and quadrupled her national importance and political influence, treading, as she does, upon the heels of the "key stone state."

When we recur to the Schuylkill navigation, an improvement located in a *coal region* (and therefore a better test of the anticipated fruits of the Pennsylvania canals than the improvements in our sister states), and contemplate the astonishing results of an investment there, of between two and three millions, the annual average increase of tolls being thirty six per cent. and the stocks of the company steadily rising in the market to one *hundred and four per cent. above the original par value;* when we call to mind the unexampled receipts on the Delaware division, during the short period of its operations, in consequence of its connection with the mining business of the Lehigh coal company; when we examine the facts in relation to the Delaware and Hudson canal company, another improvement designed for the development of our mineral wealth, and find that it transmits *daily* six hundred tons of coal, *annually* distributing among our citizens six hundred thousand dollars, drawn from the bowels of a barren mountain; that the company is only prevented from distributing treble, nay, ten times that amount of the "necessaries and comforts of life" by a deficiency of water for its canal, and the limited capacity of a rail road section, in its improvements; the company's stocks eighteen or twenty per cent. above par, and still rising, with a fair prospect of rivalling the Schuylkill navigation company, in profits and prosperity. When your committee take into consideration the former exemption of the people from the burthens of direct taxation; that for thirty years previous to the late revenue acts not a farthing had been required by the government; that when the general government made a requisition of more than three hundred and ten thousand dollars, the amount was promptly supplied from the state treasury, and the people were not required to refund it; that most of the states of the union resort to direct taxation for the ordinary expenses of government; that Pennsylvania has on the contrary, from her ordinary revenue borne all the expenses of state government, met the requisitions of the United States, and appropriated more than half a million of dollars to roads, bridges and other local improvements; that the taxes imposed by the acts of 1830, are little more than nominal—much less than the taxes of Ohio, or New York, or any other state engaged in a general system, for the improvement of its condition; that the impositions are but temporary, and for the purpose of sustaining a work of incalculable importance to the community; that our debt is in fact an *investment*, and not an expenditure, like most national debts, incurred in unnecessary wars and bloody crusades against the rights of man; and therefore that the monies raised under our revenue laws should be viewed in the light of a trifling rent, or consideration, paid, for the use of a valuable improvement, and the expenses of collection only should be set down to the account of *taxes* or burthens imposed on the people by way of temporary loan, to be repaid "an hundred fold;" and finally, when we perceive that the cautious lynx eyed capitalist, wherever found, whether domiciled in Europe or America, has the most unshaken confidence in the responsibility of the state, and the sound policy of its investments, as is evinced by the avidity with which our loans are sought, knowing, as he must, that the resources of Pennsylvania are unexhausted and inexhaustible, your committee presumes it will be justified in assuming, that the original design is to be carried on to completion—that the nuptials of the waters are to be consummated.

If we are indeed mistaken in this conclusion, if our improvements are not to be pushed beyond the ground already broken, if we have toiled so long, and expended so much, to recede and excite the scorn and ridicule of the adjoining states, to construct a *local* improvement, to accommodate a *neighborhood* business, if in truth the *Pennsylvanian system* is to be abandoned, then have we been engaged in a most unprofitable project; then have we entailed *perpetual* taxation on ourselves for no adequate purposes, no corresponding benefit; then, have we sold our birth right, wasted our inheritance, with no redeeming security, against sore humiliation and deep repentance. Then have all the exertions of our patriots disappeared like the morning dew, and all the splendid prospects of Pennsylvania vanished, "like the baseless fabric of a vision." In that event, this report will be found decidedly erroneous in many of its bearings. It has been calculated to a different meridian. The subject has been viewed in a different aspect. Notwithstanding the opposition raised by the terrors of the weak, the apprehensions of the timid, and the machinations of the factious, your committee cannot adopt the opinion, that Pennsylvania, heretofore foremost in the march of improvement, will hesitate, falter, and finally retrograde, in a course of policy essential to the prosperity, the character, and the best interest of the commonwealth, and strongly engrafted on the affections of the people.

In estimating the debts due the commonwealth for lands, it is difficult to find any certain data on which to found a calculation, and we have been obliged to adopt what is believed to be a medium of all the former estimates. The revenues derivable from that source are rapidly diminishing, and it is feared, will shortly disappear, if indulgence be much longer extended to the holders of unpatented lands. And it would seem partial and unjust, further to extend indulgence to the wealthy sections of the state, where the lands have been enjoyed from forty to eighty years without the payment of the purchase money, the lands in the mean time having greatly advanced in value. When by subsequent laws, the citizens of the newer and poorer counties have been required to pay in advance for their lands—especially as the citizens of the new counties are now taxed to supply that deficiency in the treasury, caused by withholding the purchase money of the lands in the old and rich counties.

The estimated value of the public improvements, in tabular statement A, may startle at first view, but the committee indulge the hope, that when the tabular statements B and C are examined, and the principles upon which they have been formed are subjected to the most rigid test, the estimate will appear to be a safe one, resulting from fair comparison and arithmetical deduction.

The completion of the state improvements, would, it is believed, give such an additional impetus to national industry and active business as to render your turnpike stocks, after that event, an available source of revenue, and increase rather than diminish the receipts from the roads. Such undoubtedly has been the effect of the construction of the Erie canal, parallel and near to the great leading turnpikes of the state of New York. Pennsylvania possesses abundance of mineral wealth, those crude and ponderous substances the best calculated to furnish employment for canals, while the state of New York possesses comparatively few, and the committee, for the purpose of satisfying the incredulous, and submitting a safe estimate, have discarded this advantage, together with the difference in extent of our canals over those of New York, as also the discouraging effects of the unusual ice flood of the last season, and have instituted a comparison in the tabular statements B and C, founded on the actual operations and tolls, of the improvements of the respective states.

It will be perceived, in those statements that the estimated tolls the first year after the completion of the Pennsylvania ca-

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nals, are $805,732 00 which sum is found by the following mathematical process. The aggregate amount of tolls actually received on the New York canals for the three first years in which tolls were charged and while those canals were in an unfinished state, was $93,896 11. The aggregate amount of tolls actually received on the Pennsylvania canals for the three first years in which tolls were charged, and while those canals were in an unfinished state, was $120,503 30. The amount of tolls actually received on the New York canals, the first year after they were finished was $750,759, thus we have three given terms to find a proportional fourth term, by a familiar arithmetical process. As the aggregate receipts of the three first years are to the amount in the first year after the New York canals were finished, so are the aggregate receipts of the first three years on the Pennsylvania canals to the amount that will be received the first year after those canals shall have been finished; which is the aforesaid sum of $805,732; which sum is made the first term in the statements B and C; then adopting the average annual increase of the New York canals, and the eighth year's operations after the completion of the Pennsylvania canals will produce $1,608,386. A sum more than sufficient to meet the interest of thirty millions. The same legitimate comparison with the Schuylkill navigation, a coal region improvement, as exhibited in statement C, produces a result almost incredible, and yet we have not been able to detect any error in the principles which have led to the flattering conclusion.

By a reference to statement D, it will be perceived that the estimated balance in the treasury on the 31st day of October, 1833, amounts to $487,791 29; this is upon the supposition that all the loans of the present session shall have been called in before that day. Should this not be the case, the balance will be less by the difference between the interest and the premium on that portion of the loans not called in. And should further indulgence be extended to the holders of unpatented lands, as proposed by a bill now pending for that purpose, it is feared that the condition of the treasury will be injuriously affected by the measure.

STATEMENT A.

Whole amount of the state debt, including the loans and subscriptions for Union canal stock of the present session, to the 12th March, 1833.

| | |
|---|---|
| Loans for canal and rail road purposes | $18,405,661 88 |
| Loans not pertaining to canals and rail roads | 1,840,000 00 |
| Debts due to bridges, turnpikes, and miscellaneous objects | 229,966 76 |
| Union canal subscription, bearing an interest of 4½ per cent. | 200,000 00 |
| | $20,675,628 64 |

*Public property of the commonwealth.*

| | |
|---|---|
| Bank stock - - - - - - - | $2,108,700 00 |
| Turnpike stock - - - - - - - | 2,060,100 00 |
| Canal stock - - - - - - | 400,000 00 |
| Bridge stock - - - - - - | 430,800 00 |
| Due to the state for lands, (estimated) | 2,000,000 00 |
| Present value of the Pennsylvania canals and rail roads, on the supposition that they are to be finished, agreeable to the original design, (estimated) | 25,000,000 00 |
| | $31,989,600 00 |
| Deduct the public debt | 20,675,627 64 |
| Property of the commonwealth, above the amount of the public debt | $11,313,972 36 |

STATEMENT B.

Statement showing the estimated increase of tolls on the Pennsylvania canals and rail roads, for the first seven years after they shall have been completed, calculated from the actual operations of the New York canals, for six successive years, commencing with the year 1826, (the first year after they were finished), and ending with the year 1831, both inclusive, the average annual increase being eleven and two-tenths per centum.

| [*New York canals.*] | *Pennsylvania canals and rail roads.* | |
|---|---|---|
| $750,759 | $805,732 | 1st year after finished |
| 848,759 | 910,477 | 2d |
| 897,365 | 962,374 | 3d |
| 771,685 | 829,642 | 4th |
| 1,050,923 | 1,111,720 | 5th |
| 1,223,802 | 1,300,712 | 6th |
| | 1,446,391 | 7th |
| | 1,608,386 | 8th |

STATEMENT C.

Table, showing the estimated increase of tolls on the Pennsylvania canals and rail roads, the first six years after they shall have been completed, calculated from the actual increase on the Schuylkill navigation, during the six successive years ending with the year 1832, the annual average increase being 36 per cent.

| [*Schuylkill navigation.*] | *Pennsylvania canals and rail roads.* | |
|---|---|---|
| $43,108 77 | $805,732 | 1st year after finished. |
| 58,149 74 | 1,095,795 | 2d |
| 87,111 00 | 1,490,281 | 3d |
| 120,039 00 | 2,026,782 | 4th |
| 148,165 95 | 2,756,423 | 5th |
| 134,005 92 | 3,748,745 | 6th |
| 240,455 78 | 5,098,293 | 7th |

STATEMENT D.

An estimate of the receipts and payments at the treasury, during the present fiscal year, ending on the 31st October, 1833.

*Receipts.*

| | |
|---|---|
| Permanent loans - - - - - | $3,668,680 00 |
| Premium on do. - - - - - - | 514,094 14 |
| Lands and land office fees - - - - - | 70,000 00 |
| Auction commissions - - - - - | 16,000 00 |
| Auction duties - - - - - - | 120,000 00 |
| Dividends on bank stock - - - - | 128,000 00 |
| Dividends on canal, bridge and turnpike stock - | 23,000 00 |
| Tax on bank dividends - - - - - | 43,000 00 |
| Tax on offices - - - - - - | 12,000 00 |
| Tavern licenses - - - - - - | 58,000 00 |
| Retailers' licenses - - - - - - | 70,000 00 |
| State maps - - - - - - - | 300 00 |
| Pamphlet laws - - - - - - | 80 00 |
| Collateral inheritances - - - - - | 65,000 00 |
| Militia and exempt fines - - - - - | 1,500 00 |
| Canal tolls - - - - - - - | 200,000 00 |
| Tin and clock pedlers' licenses - - - | 3,500 00 |
| Escheats - - - - - - - | 1,000 00 |
| Tax on writs, &c. - - - - - - | 20,000 00 |
| Old debts and miscellaneous - - - - | 1,000 00 |
| County rates and levies, 1832 - - - | 124,344 00 |
| Tax on personal property, 1832 - - - | 38,261 00 |
| Fees of the secretary's office - - - | 500 00 |
| County rates and levies, 1833 - - - | 70,000 00 |
| Tax on personal property, 1833 - - - | 11,000 00 |
| Girard bank bonus - - - - - | 25,000 00 |
| Western bank of Philadelphia do. - - - | 25,000 00 |
| Manufacturers and Mechanics bank of Northern Liberties - - - - - - | 15,000 00 |
| | $5,320,159 14 |
| Add balance in the treasury on the 1st November, 1832 - - - - - - - | 117,167 16 |
| | $5,437,326 30 |

*Payments.*

| | |
|---|---|
| Commissioners of the fund for canal and rail road purposes - - - - - - | $3,138,680 00 |
| Ordinary repairs on canals and rail roads | 150,000 00 |
| New works and improvements on old lines - | 280,000 00 |
| Damages by canals and rail roads - | 100,000 00 |
| Interest on loans - - - - | 726,150 18 |
| Turnpikes, roads, bridges, &c. - - - | 44,262 67 |
| Expenses of government - - - | 210,000 00 |
| Militia expenses - - - - - - | 20,000 00 |
| Court martial expenses - - - | 500 00 |
| Pensions and gratuities - - - - | 27,000 00 |
| Education - - - - - | 4,000 00 |
| Penitentiary at Pittsburg - - - - | 31,000 00 |
| do. at Philadelphia - - - | 69,045 00 |
| Conveying convicts and fugitives - - - | 2,000 00 |
| Miscellaneous - - - - | 6,000 00 |
| House of refuge - - - - - - | 5,000 00 |
| To refund canal treasury - - - | 135,897 16 |
| | $4,949,535 01 |

| | |
|---|---|
| Receipts for the current year brought forward | $5,437,326 30 |
| Deduct payments | 4,949,535 01 |
| Balance in the treasury 31st October, 1833, | $487,791 29 |

It only remains, to explain the reasons of the delay till the present time, of this report. It has heretofore been desirable to have an early report from the committee of ways and means, that the legislature might act with a full knowledge of the state of the finances. But since the passage of the act of the 16th March, 1832, "requiring the state treasurer to make an annual report on the subject of finance," the reasons for an early report, from the committee, have ceased to operate. In pursuance of that act, the state treasurer made a full report, on the 6th day of December last, giving an account of the fiscal operations of the government, more in detail, than could have been done by the committee, at the commencement of the session. That report, however, did not anticipate the new liabilities, that might be incurred, during the present session. A report from the committee, not embracing the important acts of the legislature, subsequent to the treasurer's report, would have been an idle ceremony, as it would not have furnished any additional light on the subject. Since the passage of the act of March last, it is expedient to delay the report of the committee till near the close of the session, in order that the large appropriations of the current session may be taken into consideration. The committee have embraced in this report the liabilities incurred by the legislation of this session down to the 12th of March, instant, together with one important bill, which has not yet passed, to wit, bill No. 297, as it passed the house of representatives, authorising the loan and appropriation of $530,000. The probability is so strong of its passage in some shape not materially varying from the said sum, that it was thought advisable to include it in the estimates.

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# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The large supplement to the last volume is finished—and will be forwarded immediately. A few copies yet remain, at the service of subscribers to the REGISTER, at one dollar each.

We expect to send out the title page and index for the last volume, with the next number. It has been delayed, that the contents of the supplement might be added in their proper places.

☞We have been, and quite unexpectedly, led into the *making* of a long article on nullification, in its principle and practice, and particular application. On first taking up the article from the "Telegraph," we designed to dismiss it with a few brief observations; but our pen got "a running," and it did not seem easy to stop it. So we "let it go a-head"—thinking that, perhaps the present was as good a time as any other to say certain things which we had intended to say, at a future period, and on another occasion. The general direction of the argument, however, does not appear to have much practical utility, *at present*, and will not be pursued. We shall not now go into a regular discussion of the points stated, or made, much as we desired it with the senior editor of the "Richmond Enquirer" some few months ago, under special considerations and peculiar circumstances—from which Mr. *Ritchie* "backed out," and, as we thought, rather unhandsomely. But that was his own affair. The time may come, and the existing condition of circumstances be so changed—that we shall be willing to take up that gauntlet which Mr. *Green* offered—after Mr. *Ritchie* had both accepted and retired from that which we had thrown down: but of that time, and those circumstances, we must judge for ourselves. Without any interest at stake, personal or partisan, in this matter—without a subscription to the opinions of any man, or set of men—and in a conscious independence of all men, except in the fitness of things, as apparent to our own understanding, we have devoted ourselves to a promotion of the industry of the laboring *people* of the U. States. These have a greater interest in this subject than we; and if the working man "goes supperless to bed," the sin lies not with us—the wrong is not of our making. We have had "no part or lot in this matter"—either in private practice or public performances of what we thought duty. We have not yet said, however, that,—when there shall be a "moving of the waters," by the spirit of truth—when a love of "the light" shall supersede a devotion to idols, and privation reform the affections of men by operating on their bellies—we shall refrain from again giving up our heart and soul, with every rightful effort of body and mind, to the cause of our fellows—THE PRODUCTIVE LABORERS OF THE UNITED STATES.

☞The treasury instructions *establishing*, (if not EXACTING), the tariff law of the United States, are inserted in a subsequent page. Among our most decided objections to the act of the last session, was the power which it placed in the hands of the secretary of the treasury—whoever he may be, and for eight years to come—if the act remains undisturbed; rendering that officer, under direction of the president, *commander-in-chief* over the tariff, whether regarded as a matter of protection, or a thing of dollars and cents only, receivable at the treasury—a power which, we think, congress ought not to have parted with: for if the secretary has, or hereafter shall, exert that power wrongfully—great injury may arise before a corrective can be applied. We have no personal allusion to the present secretary of the treasury, nor fault specially to find with his proceedings now before us—but would not have consented to the investment of so great an amount of public authority, and private influence, in *any* individual; and to relinquish, as it were, a holding of the nation's purse-strings.

Mr. *McLane* has put down all speculation as to the operation of the law, and his opinion is in conformity with the generally accepted meaning of the act. The sum of the reductions is to be calculated on the reported, or ascertained, real value, or foreign cost, of every article; and the *minimum* principle and *specific* duties are subject to those rules which every one saw was applicable to simple *ad valorem* articles. This will dissipate the fancied security of some engaged in particular branches of manufactures—and surprise others who seemed to entertain a "notion" that the specific duties were preserved. We could not see any reason for hoping or expecting either of these things. As a levelling system had been resolved on, we supposed that all the duties would be cut down on the *same principle*—though some articles will bear a reduction much better than others; some thrive the better for it, (*at the cost of consumers, because of a reduced competition*), for a while to come, and others more speedily be given up to "*our* workshops" in Europe.

It will take a goodly number of clerks, we suppose, to figure-out the amount of the duties according to the treasury instructions; yet always having been in favor of specific appropriations and specific duties, we wish that a specific manner of applying the law had been established by the makers of the law. But "what has been done cannot be undone." It is probable that the act, because of its own imperfections, will come up for consideration, explanation, &c. at the next session; and if so, we hope that time may be allowed to ascertain and prescribe the particular duties which shall be payable on particular articles. We apprehend that the public safety, as well as individual security, are considerably involved in this matter; and, when encountering an evil, as we believe that this law is, it is important that all its metes and boundaries should be clearly before us. Established by law, and not liable to construction, misconstruction, or reconstruction, as the case may be, at different times, under different views of things, and by different secretaries.

The *modus operandi*, under the instructions, we suppose, will be thus:

*1st.* As to articles subject to a *minimum*, such as cotton yarn and cloths, certain kinds of woollens, &c.

The minimum of white cotton goods is fixed at 30 cents the square yard—and the duty is 20 per cent. on this value—that is, 6 cents the square yard. The foreign actual cost, let us say, is also six cents. The duty then is at the rate of 100 per cent. on the foreign cost. As it is only the duty *over* 20 per cent. which is to be acted on, one-tenth of 80 per cent. or 4.8 mills of the duty on a square yard, will be the amount of the *first* reduction, and so on, until the duty shall sink to 20 per cent. equal to one cent and two mills on the square yard, if costing six cents—and in that proportion.

*2d.* As to *specific* duties—a numerous class of articles.

The duty on a ton of bar iron manufactured by rolling, is 30 dollars—and such iron, of an inferior quality, has been often sold in England for 30 dollars. The present duty is 100 per cent.—80 per cent. or 24 dollars the ton, is then subject to the reduction, and the first fall in the duty, (one-tenth), will be 240 cents per ton. At the end of the period, the duty will be six dollars per ton.

*3rd.* As to duties which are both *specific and ad valorem.*

Wool costing more than 8 cents per lb. pays a duty of 4 cents per lb. and of 40 per cent. ad. val. If its foreign value is 20 cents, the present duty is 12 cents per lb. or 60 per cent. ad. val. The excess duty for reduction is 40 per cent. equal to 8 cents per lb. and the tenth is 8 mills. The ultimate amount of the duty on such wool will be 20 per cent. or 4 cents per lb.

It is hardly necessary to speak of the simple ad valorem duties, for no doubt has existed as to the operation of the new law upon them.

Every particular package or parcel of goods,* will be subject to *particular* calculations on its cost. The duty

*Aye, or *piece*, if subject to be entered for exportation, and repayment of duty, by debenture.



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on sugar, for example, which costs 5 cents per lb. and now paying 50 per cent. ad val. will have its first reduction in one-tenth of 30 per cent. which, at 2½ cents the present duty, will be 1½ mills per lb. and the final duty on such sugar be one cent per lb. If the sugar costs 2½ cents, the duty being the same, the rate is one hundred per cent. 80 per cent. is then the excess, and the first reduction will be 2 mills per lb.—and the ultimate duty only half a cent per lb.

☞We publish a sensible report on currency, capital, interest, &c. recently made to the legislature of New York—and recommend it to the careful examination of those who desire to investigate elementary principles of important things. It would appear to us that, notwithstanding the "safety fund," &c. the state of the currency is not such as it should be in the state of New York. It might be considerably "reformed," perhaps by forbidding the issue of bank notes, or bills, or any thing in lieu thereof, for a less sum than three dollars, as a preliminary step—to extend to five dollars, in a year or two thereafter; and then ceasing to manufacture new banks, the law should interfere and prevent excessive issues by the old ones. A sudden contraction of the currency always causes the ruin of many worthy men, and sometimes produces general distress; and, as contractions will occasionally happen, the safety of the people is best assured in restricting the *currency*—which restriction will increase *capital*, whenever there shall be profitable employments for it.

NULLIFICATION. The United States Telegraph of the 25th ult. had the following extract and remarks:

It will be seen by referring to Mr. Calhoun's letter, and the speeches of gov. Hayne and gen. Hamilton, that an exercise of the "right of nullification," by the state of South Carolina, having caused the recent adjustment of the tariff, is hereafter to be held as the "rightful remedy," in either of the twenty-four states, for the redress of any real or imaginary evil, arising out of the laws of the United States, or the decisions of the supreme court.

And though nullification has not been formally acknowledged in congress, as the "rightful remedy," it certainly has been respected as an efficient one.—*Niles' Register.*

Is the editor of the Register really ignorant of the principles of nullification, or does he intentionally misrepresent them? We are loth to believe the latter; but he ought to know something about them before he utters the sweeping denunciations which have appeared in the Register. The advocates of nullification have never pretended to consider it as a means of obtaining redress, for "any real or imaginary evil arising out of the laws," &c. It is only in cases of violations of the constitution, usurpations of power, not granted, and perversions of granted powers, that we contend the nullifying powers of a state can be rightfully exercised.

If abuses which do not extend to perversion, exist in the exercise of granted powers, the remedy is in the ballot box. If redress cannot be obtained through that, it remains for the people of the state or states to decide whether they will submit to the oppression or will secede. They would have no right to nullify the law. They would be bound to submit to the requisitions of the law as long as they remained members of the union. If the oppression be too grievous to be borne, they have no redress but secession—unless the preparatory steps for secession should induce the majority to relax in their oppression.

It is true that there may be cases in which the abuses of even a granted power may be of such a nature, as to justify a state in nullifying an act of congress. Thus, when powers granted for the attainment of one object, are *perverted* to the attainment of another object, not contemplated by the framers of the constitution, nor deducible by fair construction from it.

If the editor of the Register has not accurately comprehended the *doctrine* of nullification—he seems fully convinced of its *efficiency*. This is by far the most important part of it.—And although congress may not have acknowledged it as the "rightful remedy," yet as they have "respected it as an *efficient* one," we are well satisfied of the state of the case—having full reliance upon the prudence, patriotism and good sense of the people, that they will not have recourse to it, but when it would be "rightful," as well as "efficient." If this be not a safe reliance, let us at once establish a race of kings, to save the people from themselves.

The clamors against nullification are useless. He is little acquainted with the nature of political institutions, who does not see that nullification has become a principle of our government. It is useless to attempt to disguise it. The people know it and feel it. It is a principle that necessarily lies dormant until there is a necessity for its action. It then rises with the strength of a giant, and with the energies of an oppressed people. It slumbers until oppression calls it forth. The Virginia and Kentucky resolutions gave it birth—the ordinance of South Carolina matured it. And the people, whether at the north, south, east, or west, will always recur to it, to resist unconstitutional oppression.

We give to the editor of the "Telegraph" the benefit of *all* his remarks on our brief paragraphs, and shall make some observations upon them—not intending, however, at present, to enter into a consideration of several subjects which are held ready for discussion, when the utility of an argument concerning them shall become more apparent than it is now.

Though we never kissed the "black stone" and swallowed the president's proclamation "whole," we gave a hearty consent to the general principles of that paper, because that they were really our own—having, for years, apprehended more danger from the factiousness of states than on account of an increased, or consolidating, power in the federal government; though free to confess, that several things happening in the last four years have induced us to apprehend the existence of a greater *central dominion* than we had supposed was admissible—or would be endured. Still, there are parts in the proclamation which go much beyond that political heresy which we ("genuine democrats of '98"), imputed to the *old* "federal school," and not at all necessary, in our humble opinion, to a broad and conclusive argument against nullification, as expounded by its advocates in South Carolina and elsewhere. But we have fallen upon strange times. A little while ago, and no persons in the United States proceeded so far in expanding the powers of the *general government*, as some who now are the most prominent in contracting these powers, and contending that *each state* is a "sovereign" interpreter of the rightfulness of *every* proceeding of that government—for to this extent the doctrine of nullification reaches, else the claims made in favor of state "sovereignty" are as well scandalous as they are peurile. And more recently, only two years since, others who have gulped down the "entire" proclamation—as young robbins swallow *all* things which are offered—in authority, or "by authority," or on their "allegiance," abused Mr. *Webster* with "rank federalism," because of his speech on Mr. Foot's resolution, and extolled Mr. *Hayne* for his correct and "truly republican" constructions of the constitution; and yet it is found that almost every generally accepted principle laid down in the proclamation may be clearly traced in Mr. *Webster's* "federal," or "*blue light*" *speech*, as many of the "collar presses" bawled out that it was—concerning which we have many curious articles in "pickle," and shall produce some of them—when necessary.*

We neither understand the *metaphysics* nor the METEMPSYCHOSES of NULLIFICATION. We are "ignorant" of both. But beg leave to think, that we have looked as long at *practical* things, and, perhaps, may have as good a judgment concerning them, as the editor of the Telegraph. At any rate—we cannot elect *him* our schoolmaster. He says—"The advocates of nullification have never pretended to consider it as a means of obtaining redress for 'any real or imaginary evil arising out of the laws,' &c. It is only in cases of violations of the constitution, usurpations of power, not granted, and perversions of granted powers, that we contend the nullifying powers of a state can be rightfully exercised." What more is needed to the argument? A "*sovereign*" state decides on the constitutionality of a law—and may call its passage either an "usurpation" or "perversion" of power, at its own discretion—for *the* "sovereign" admits of no superior. And whether the act of "the sovereign" be on account of "a real or imaginary evil," the right of action is the same, and unimpeachable! Even COMMON SENSE has nothing to do with this matter—has no influence over it! To speak to the case in point:—not more than four or five of the states consider the tariff laws to be unconstitutional, and twenty-three, out of the twenty-four, repudiate the doctrine of nullification—casting it

* The proclamation was very troublesome to our old friend, the editor of the Richmond Enquirer,—but, at last, he seems to have "taken" it, and become very moderate about state-rights. When the proclamation had just issued, some *Yankee* editor thus happily described the state of the case:—"Mr. Ritchie handles the proclamation as a hungry man would a hot roll which he had stolen, and which he was anxious to swallow, but which, as he felt it burning in his hand, he was afraid to put it in his mouth, while he feared detection, if he did not hide it effectually."

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off as a political leprosy; so it is also with a large majority in congress, and, perhaps, in the unanimous judgment of the supreme court: yet a protecting tariff *is* unconstitutional, and nullification the "rightful remedy," because——so South Carolina wills it! And the state being "sovereign," is under no legal obligation either to comply with the wishes of a majority of the states, or submit herself to the *common sense* of mankind! The "sovereign" is absolute. And if, as in the late war, the United States should again levy a tax upon *coaches*—South Carolina may pass an "ordinance" changing all her "coaches" into *wagons*, and thus nullify the act. What is it to her that every lexicographer makes a wide difference between "coaches" and "wagons?" It is in the power of the "sovereign" to render "fleas into lobsters,"—though Sir Joseph Banks, after "philosophically" boiling a pot-full of the latter, certainly ascertained that "fleas are *not* lobsters!"

Such is the power of the states—in nullification! We do not mean to speak lightly on the subject. If the third clause of the eighth article of the constitution, which gives congress power to "regulate commerce," does not authorise the enactment of protecting tariff laws—the power so long exercised, (and still in action), imposing discriminatory duties on tonnage, or prohibiting the coasting trade to foreign vessels, is surely unconstitutional, and ought to be "nullified!" The rule which applies to goods is applicable to the ships which carry them. We defy the whole host of *metaphysicians* to draw a line between them,—and the entire tribe of "philosophers" to present a clause in the constitution which either separates these branches of domestic industry, or prefers one over the other. There is no such clause. If the grant of a full power, to "regulate commerce," does not contain subordinate, or incidental powers, as some of the state-rights men *seem* to contend, a South Carolina planter may employ a *Bermudian* vessel to carry his cotton from Georgetown to Charleston, or New York, and bring back to him wines and negro cloths, race horses and cotton bagging; and as the power to *prohibit* such employment of foreign vessels is not stated in the constitution, such prohibition may either be called an "usurpation" or "perversion" of power. This, however, is not *now* affected. But the *same* clause that protects, or prefers, American navigation, protects or prefers American manufactures—and the power granted is natural and unalienable, in both cases. Without it—the United States has *no* sovereign authority. If the power of self-defence is denied—there is no other worth insisting upon; and the government of this great republic is placed in the condition of a *negro's dog*, which DARES not return even a snap for a bite, when assailed by a white man's cur. We say,—that the power to encourage and protect the navigation of the United States, which has been mightily exercised from the beginning of this government, and, in a very important part, to ABSOLUTE PROHIBITION—*has the same, and no other, constitutional authority than than that which is given to encourage and protect the manufacture of mouse traps*. Both are derived from the full power just above stated. The right to tax foreign ships entering our ports, to any amount, for the encouragement of ship-building in the United States, is universally conceded—but the right to tax foreign products and manufactures, that other American products and manufactures may be substituted for them—is "nullified!" Neither ships nor mouse traps are mentioned in the constitution. They are *both* articles of "commerce," and the right to regulate the importation, or introduction of either, is precisely the same. For a long series of years, we taxed all foreign vessels one dollar per ton on their entry, our own being admitted on the payment of six cents. Ships are only the agents of "commerce," and so are camels and mules. *Navigation* has less to do with "commerce" than *agriculture*;† and is, by far, the lesser interest: yet some years ago, when France imposed a duty of 18 dollars per ton on American vessels entering her ports, a law was passed, by the UNANIMOUS vote of both houses of congress, imposing a duty of 18 dollars per ton on French vessels entering our ports; and if France had also taxed-out our *cotton*, should we not have taxed-out French goods? But the case is "materially altered" when *wheat*, and not cotton—and *English*, not French, goods are concerned! We want no wire drawing about this matter—no attempts to shew the difference between the north and north-east side of every bristle on a "whole hog's" back, from the "snout to the tail!"* We demand it, of our quondam friend, Mr. *Obsta Principiis*, and present cotemporary, *Nous Verrons*, "esquire"—and of gen. *Green*, who has stepped into the cast-off slip-shods of Mr. *Ritchie*, since the days of his abjection, decreed in the proclamation—to put their "finger upon that part of the constitution," (as Mr. R. *used* to say), which *prohibits* the coasting trade to foreign vessels—allows the imposition of *discriminatory* duties upon them and their cargoes—or authorises the employment of the American navy for the *protection* of American commerce—even at the antipodes, or in the Mediterranean, and at a greater expense to the public, in that sea, than is the amount of all the private profits which accrue to us from its trade. These powers, however, are natural results of the acknowledged independence of the United States, and are not disputed—still the right to nullify them cannot be questioned—for a *sovereign* state cannot err! A power to protect the labor and property of persons, engaged in any *particular* pursuit, is not given in the constitution; *yet every* citizen believes in the existence, and sees the perpetual action of such a power. It is only concerning its application, or a sheer question of expediency, about which individuals differ. On what principle is it, *that the importation of slaves is prohibited?* Because, as we suppose, thought to promote the "general welfare." May not the "general welfare" be as well promoted in excluding the *productions* of white slaves, as the *persons* of black ones? The constitutional rule which is applicable to the last, must hold good with respect to the first. South Carolina, in her wisdom, continued the importation of negroes to the latest moment that she could—and, down to 1808, the Charleston newspapers were filled with advertisements of *cargoes* of them for sale. The law which now prohibits the importation of slaves, stands precisely upon the principle which prohibits the coasting trade to foreign vessels, imposes discriminatory duties on goods imported in such vessels, or if from beyond the cape of Good Hope, or assesses *other* duties for the further encouragement of American industry: but it pleases South Carolina, in the power of her own individual "sovereignty," alone in her own might, to pronounce the latter class of duties unconstitutional! It is more lawful to protect home-manufactured *Yankee* ships, than home-made *Yankee* "palmetto buttons!"

But if we had ever held an opinion that "nullification is a rightful remedy" for the redress of "real or imaginary evils," the carrying-out of the doctrine, in South Carolina, would have rendered it contemptible. We allude to the act of the convention nullifying the late law, "further to provide for the collection of duties on im-

†Nothing like a correct estimate can be made of the *internal commerce* of the United States—but the *first* sales of the products of the land, rendered valuable by labor variously applied, including all sorts of commodities, with costs of transportation, &c. perhaps amount to not less than one thousand millions of dollars a year. This will not appear an unreasonable sum, we think, to those who shall reflect upon the subject, and will endeavor to grasp the multitudious pursuits and products of land and labor.

If the *manufactures* of the United States have an aggregate value of 300 millions—we mean manufactures of houses and ships, as well as of cotton and woollen cloths, and hob-nails—not less than 375 millions, or three fourths of the annual aggregate, belongs to the *agricultural* or *land holding* interest, in one way or another, chiefly for subsistence and materials, or means, supplied—minerals and earths, water power, timber, wool, and a thousand *et ceteras*.

*As many copies of this article will probably out-live a distinct recollection of the scurvy political terms and politics of the day, it may be proper to observe, that, when a man calls himself a "whole hog," he intends to compliment himself—and if he adds, "from the snout to the tail," it means that he feels qualified for a seat in congress, and, perchance, a mission to represent the dignity of the United States at a foreign court. We once heard a person say, in the presence of his wife, "I'm whole hog, and so is my wife." But the lady, and such she really was, objected—she was not willing to be called a ——*female* hog. There is nothing new in this. We have been told that, in certain parts of Africa, after bumping the ground nine times, it is the perfection of politics to say, "your majesty's dog is crawling before you." We do not much admire this modern *hoggism* or ancient *doggism*. But—*de gustibus non disputandum*; "rewards" must be obtained, and "punishments" avoided—if possible.

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ports." The convention might as well have nullified the act of congress making compensation for "Amy Darden's stud horse"—for, having repealed her original ordinance, this law of the United States was rendered a dead letter to the people of that state—UNLESS A SOUTHERN KINGDOM OR CONFEDERACY WAS STILL CONTEMPLATED, or some other violent intent entertained, for further use, by persons that would "rather reign in hell than serve in heaven." It was an act of baby-spite—the pouting of a spoiled child, (*except as above excepted*), and reduced nullification into the meanness of a besotted faction, or cast it into the "keeping" of the Catalines of the day. Let us look a little more closely at this subject. Every "Jeffersonian democrat," in the time of *the* embargo, supported a law much more extensive in its powers, and furious in its character, than is the act which South Carolina has nullified. Aye, and the first was a much stronger constitutional case than the last, in many respects. We shall refer only to a single point, because it is that which directly bears upon the general subject to which the "sovereign right of nullification," was first applied: but must previously state—that every man who regarded the embargo laws as unconstitutional was put down, by the "democratic party," and marked as an "old tory," "apostate whig," "British refugee" or "hireling"—"monarchist," or the like.

*First.* There is no expressly delegated power in the constitution to lay an embargo. It is incidental, either to the power of "declaring war" or "regulating commerce"—for "the general welfare." Very few persons questioned the right of congress to lay an embargo, under the war-making power; and, while it held the character of a *war-measure*, not much was said about its unconstitutionality. But being unlimited in its duration, and uncovered by a declaration of war—and continued until the American flag had disappeared from the ocean, the phases of the law were altered, and *then* it was supported by its friends under the clause which authorises the "regulation of commerce." An ardent discussion of constitutional principles ensued. The "federalists" said that "regulation" and DESTRUCTION, were not synonymous terms!—that, as with a view to the encouragement of American industry, the constitution having forbidden the imposition of a "*tax or duty on articles exported from any state*," it was absurd to suppose that a power existed *to prevent all exportations*, at discretion, and without limit! They insisted, that the positive denial of a power to tax exportations, shewed that the people, in adopting the constitution, had reserved for themselves an uncontrollable liberty over all exportations. But we, "the democrats," put the "federalists" down, as well through "king numbers" as by argument! We said, that the right to "regulate commerce" as should, (*in our opinion*), best promote the "general welfare" was undoubted; and there were not wanting many "sturdy democrats," who held forth concerning "our restrictive energies," and descanted upon the great benefits resulting from the improvement of our country, and its advances in prosperity, because that it was being rendered independent of foreign nations for manufactured goods, &c. and, if we are not much mistaken, some of the messages of president *Jefferson* thus encouraged us to perseverance in the embargo law—which, as a war measure, or a regulation of commerce, or as a means of promoting the "general welfare," *we* made it out clearly was both constitutional and expedient! We well remember writing a pamphlet on these subjects, which was so well approved by the "democratic republican committee," that 10,000 copies of it were published to enlighten the people of Maryland! Such an edition was not a common thing in those days. Aye, and out of that pamphlet was obtained the chief matter for two *great* "embargo speeches" made in congress—without the least credit being rendered to the humble and obscure author of it—or any admission, that certain original statistical statements were borrowed!

*Secondly.* On the other hand: an express power is given to congress "to lay and collect taxes, duties, imposts and excises—to pay the public debt, and provide for the common defence and general welfare." There is no limit (*now*) to this power, either concerning the imposition of taxes, or the disposition of the funds produced by them; nor ought there to be—we speak on general principles. The power to raise a revenue necessarily involves a right to disburse it. Now in this power, or in that to regulate commerce, or in both united, Mr. *Jefferson* and the "democrats"—the *Giles's*, *Macon's*, and so forth—found authority for the seizure and condemnation of British goods imported, &c. though we were not at war with Great Britain! Britain had passed certain orders in council for the *regulation of trade* with the continent of Europe—and, like the poor worm, which, "if trodden upon may turn," there existed a natural right to meet regulation with regulation; to say nothing of our proud claims to sovereignty and independence! We prohibited commerce with Great Britain—we made a law to confiscate British goods when imported into the United States—because, mark the because—Great Britain had embarrassed our trade with the continent of Europe, and restrained us from sending our flour, cotton, fish, &c. to the various nations with whom *she* was at war. This was the "democracy" of Jefferson's administration; but *now* the more lofty "democracy" of the "chivalric and generous south," *having an open market for its cotton*, deems it unconstitutional to impose protecting duties, that iron and cloth may be manufactured in America, though the British duties, as to our flour, meats, fish, lumber, and every great staple, cotton excepted, are prohibitory in their operation! The power in congress to "regulate commerce" has been stricken from the constitution—by construction; and an exercise of that power may be rightfully "nullified!"

But let us look a little more at the constitution. We have just above said that the power "to lay and collect taxes, duties," &c. is *now* without limit—that is, it is a complete power, and as strongly granted as any form of words can express. And that it was so understood by the framers of the constitution, who had a full sense of the meaning of the phrase, "TO REGULATE COMMERCE,"* is indubitably proved from the following exception, (*and the only one*) to that power, and for a limited time:

"The migration or *importation* of such persons, as any of the states *now existing* shall think proper to admit, shall not be prohibited by congress *prior* to the year one thousand eight hundred and eight; but a tax may be imposed upon such importation *not exceeding* ten dollars for each person."—*Cons. U. S. Sec.* 9, *Art.* 1.

This article alludes to slaves—though the convention was *ashamed* to put the word into the constitution; and it was a concession to the wishes of South Carolina, perhaps, at the time—for she was the only state which persevered in the importation of *live* "wool and ivory" up to the peirod prescribed.

The introduction of this clause into the constitution, as well as the manner of its matter, is very remarkable. The importation of slaves was not to be prohibited until 1808, nor a tax of more than ten dollars a head laid upon them: the power then to prohibit the importation of every other article of merchandise (!), or to tax it at discretion, was instant and full on the adoption of the constitution. If there had been any doubt concerning the power to "regulate trade," to "promote the general welfare," this *exception* should have quieted it. So it was in the beginning of man. The fruit of the "tree of knowledge" being only forbidden to *Adam*, left no doubt of his entire discretion over all the rest of the fruits of "the garden."

While thinking, then, that the original *pretence*† for nullification in South Carolina was lame, and weak, and

*We shall, at some future day, fully shew the understanding of the people of the United States, when they adopted the constitution, on this subject. *It was British regulations of trade which caused the revolution*—and the idea of a federal government originated in the necessity of so "regulating trade," that the industry of the country might be protected—else why the splendid processions *of mechanics* and *manufacturers*, celebrating the ratification of the constitution? What had they, as classes, to do with this matter? Whence the *presumption* of BALTIMORE, from which was sent the first petition to the first congress under the constitution, and it was for the protection of American industry—whence the *impudence* of the mechanics of CHARLESTON, who, almost simultaneously forwarded a similar memorial to the representatives of the new nation?

† And we solemnly believe only a pretence. It was a grasping at political power, or to arrest an apprehended change of the location of such power,—which, in our opinion, led to all the clamor in the south against the tariff. We do not believe that any "oppression" was *really* felt, because of the tariff. The gigantic advances made in the wealth of the cotton-growing states, stand opposed to this clamor. Lower Virginia and lower South Carolina are declining—but mightier causes than fifty tariffs are working out the poverty of these sections. On the

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impotent—we have concluded that the second nullifying ordinance was as well profligate as contemptible: that if there had been any seeming dignity in the "rightful remedy" assumed, the *practice* under it was better suited for an assembly of "black spirits and white," at a cross roads tavern,—than the convention of South Carolina. We think freely—and, if we speak at all, are apt to say what we think, in all possible plainness. We believe that we understand both the principle and practice of nullification—and, while yielding nothing to the argument in favor of that heresy, would resist, to the uttermost, the presumption of those who have embraced it,—aye, who tell us that the contest has only just begun, who hold themselves up in a military attitude, and still threaten these United States!—though having obtained what they regard as a triumph; which they should not have obtained with our consent. If general Hamilton would have gone "to the death for his sugar"—he might!

The "play" of the editor of the "Telegraph" upon the admission made by us, that nullification, if not a rightful remedy, "has been respected as an efficient one," is not "worth the candle." We ought not, perhaps, to have used the word "respected"—for Mr. Clay, and others who supported him, had no sort of *respect*, in the ordinary meaning of the word, for nullification—such as *regard, reverence, honor, awful kindness*, or *partial regard* We know that many who voted for Mr. Clay's bill, supremely despised nullification, in all its parts and parties. But "great effects from little causes flow." The soiling of a duchess of Marlborough's gown, once involved Europe in a general war! and simple matters of accident oftentimes make *great men* out of blockheads or knaves. Nullification has been "efficient"—*but not because of its own power*. A modification of the tariff, (which it was thought would prove acceptable to South Carolina), has been made. Had the new tariff act stood alone—it might well be said that nullification had been *respected*—"*duly respected*," as the Turk bows his head when the silken cord is presented in the name of the sultan, to strangle him; but the enforcement bill was also passed—and every body knows that no modification of the tariff would have been submitted to, at the last session of congress, had the enforcement bill failed. *And the latter might have stood alone—but for the fear of an undue or indiscreet exercise of the powers which it gives to the executive.** We feel nearly authorised to say that we *know* it was the latter consideration which powerfully influenced enough of the members, perhaps, to have defeated Mr. Clay's bill. And to the consideration just mentioned was superadded the operation of a *generous spirit*, which has not been handsomely returned by some in whose behalf it was exerted. On the expediency of the new tariff law—we frankly expressed our opinion to its honored author, a considerable time before he offered his bill to the senate. That opinion has suffered no change. On the contrary, every day's observation goes to confirm it. The reasons which induced us to oppose that bill are being rapidly developed. Partial evil may be general good—or temporary success lay the foundation of permanent adversity. But we shall not now discuss the questions involved in that law. Things are not ripe for it; and the course to be pursued on the general subject has not yet been determined. The occasion, however, is fitted to say—that this difference in opinion has not alienated any of those affections which, for more than twenty years, we have warmly entertained and steadily cherished, for one of the most honorable and highly-gifted men of the age—and perhaps also, the most cruelly calumniated and wickedly abused. We have known him long and well; but, while feeling all confidence in the purity of his motives, and paying as much deference to his judgment as any human being may rightfully ask of his fellow man—we must adhere to our own opinions until convinced that they are invalid. "Collared" persons cannot understand this. It is their duty to have *both* hands disengaged, that they may take off their hats, and hurrah on the right side or the left—as directed in "general orders." Tens of thousands were in this dignified and beautiful posture, (holding both hands up!) while a doubt remained whether the president would approve or nullify the bill for rechartering the bank of the United States—and those who hurrahed most loudly because of the veto message concerning that bank, have also hurrahed most lustily for the proclamation, though the scope and bearing of these papers are about as much opposed as the "eternal" ice of *Chimborazo*, and the "eternal" fire of *Vesuvius*. Some "philosophers," we believe, contend, however, that the elements of heat and cold are the same. It may be so—for there are many strange harmonies in things that are apparently in opposition! And, as the *instant* sensation of ice and fire is pretty nearly the same, it is enough for politicians that a seeming affinity exists for the moment—the *present* purposes being accomplished, the "collared" gentlemen have served the *turn* required of them.

The last paragraph in the article quoted from the Telegraph needs no remark except to say, God forbid that nullification should ever become a "settled principle" in this republic! That it *is* not—we well know. Twenty-three out of the twenty-four states repudiate this heresy. Even Virginia, the parent and hot-bed of state-rights metaphysicians, has cast it off. It has an abiding place only in South Carolina—and, we think, will not long endure even there. It has, however, proved itself "efficient"—but not, (as above stated), in the operation of its own power. We like it no better for that. We reject it in all its phases, and under all circumstances, and regard it as an abomination.

other hand, look at Alabama, Louisiana, Mississippi, and even Georgia. The general amount of wealth, has, perhaps, been at least doubled in these states within the last eight *tariff years*. And see what is going on in Florida! A Savannah paper mentions it as an extraordinary crop, that col. Dummett, of Tomoka, Florida, recently manufactured from one acre of sugar cane, four hogsheads of sugar, averaging more than a thousand pounds each, and worth nine and a half cents per pound. The crop of this single acre will therefore bring three hundred and eighty dollars. Pretty well for Florida. Col. D's entire crop will amount to near one hundred hogsheads.

And at this time too, it should be added, as a monument to the memory of the tariff law of 1828—though it lived not long enough to develope its blessings—that, in nearly every part of the United States, a general prosperity may be said to abound—which has no parallel. A greater shew and bustle of business, may have been seen at particular periods—but safe and solid acquisitions of wealth were never before so extensively made, and in spite of unwise proceedings, on the part of the government, in many respects. The whole secret is in this—that the *excitements given to industry* caused every person, as it were, to obtain constant employment, and at liberal wages; hence mighty circulations of values, and quick passages of money from hand to hand. Suppose there are two millions of persons to whom *wages* are paid for labor performed, and that the present average is only 50 cents per day—cast one half of these out of employment, or, because of excess of labor, reduce their compensation to 25 cents, and the difference of the values earned and circulated is in the enormous sum of seventy-five millions a year! We beseech reflecting men to examine into this matter. Here is the true cause of the general prosperity that prevails—*and which ought to be sustained*.

*The enforcement bill was necessary, as the majority thought, to vindicate the constitution, and prevent such excesses as had been contemplated, and provided for, by South Carolina—but with that vindication, many believed, it was prudent, *and for the reason stated*, to withdraw from South Carolina every pretext for perseverance in her measures—and so practically "nullify" a *present* use of the enforcement law.

"A BUDGET OF BLUNDERS." We meet with the following in the "Washington Globe, *credited* to the "Georgia Courier"—

*Trick*. It is asserted in Niles' Register, that into the bill substituted for Mr. Clay's, there was furtively inserted a section by which certain manufactures of iron imported pay less duty, than foreign iron itself. It was not read in the senate at all; Mr. Clay having answered Mr. Grundy that he *had* compared the two bills, and found them essentially the same! "It was read by its title three times and passed, all in less than five minutes." Then Mr. Dickerson discovered the fradulent section, and complained of the violation of the compromise; but the senate refused to reconsider or strike out 17 to 8. [*Georgia Cour.*

It is not easy to apprehend how so many *mistakes* could be committed. The bill of which we spoke was *not* substituted for Mr. Clay's bill—Mr. Clay did *not* answer Mr. Grundy, nor say that *he* had compared the two bills—and we know further that Mr. Clay was *not* in the senate at the time. The latter parts of the statement in the "Courier" is true—but the bill alluded to had not any connexion with Mr. Clay's bill, except that its provisions violated the principle of the "compromise" which had just been made, in the passage of Mr. Clay's bill. It is true that the bill, if it had been *read* in the senate, would not have passed that body—and that it became a law, if

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not by "fraudulent" intention, in what may be esteemed [almost] criminal carelessness, and *four-o'clock-in-the-morning* legislation.

AMERICAN NANKIN—a valuable article, manufactured from cotton raised on the estate of Mr. Forsyth, one of the senators of the United States from Georgia, is offered for sale, in considerable quantities, by Mr. Nathaniel F. Williams, Baltimore. The cloth being of the natural color of the cotton, is said to be only changed for the better by washing. It becomes a little more lively, but does not fade. It is a valuable acquisition—and, as a joint product of *southern* agriculture and *Yankee* manufacture, we hope will meet with the protection of the *American* people.

THE EXPENDITURE of the government of the United States in the current year, we are informed, will amount to twenty one millions of dollars—and it is thought that no great "surplus" will remain. A gentleman says it is within the range of possibilities that a loan may be asked of the bank of the U. States.

"THE CABINET." It is strongly reported that Mr. *Livingston* will soon retire from the department of state, to represent the United States at Paris—that Mr. *McLane* will succeed Mr. Livingston, and *William J. Duane*, of Pennsylvania, take Mr. McLane's place, as secretary of the treasury. It is also *said-and-said* that Mr. *Cass* will leave the war department—and if so, several gentlemen are mentioned for his successor.

RELATIONS WITH FRANCE. It is stated in the Pennsylvanian, that the bills drawn by the government of the United States on France, in pursuance of the treaty of indemnity, have been dishonored. No why or wherefore is yet given. Perhaps the report is not well founded.

UNITED STATES BANK STOCK. The New York Daily Advertiser, of Monday, says—"The operations for deliveries of this stock have been so great recently, that those short are desirous of borrowing, and are willing to advance one hundred and ten per cent. without charging any interest, rather than purchase at the present rates, which is an evidence that the stock is scarce."

THE CHOLERA. This disease is said already to have disappeared at *Key West*. It was making terrible ravages in *Guatemala*—the greater part of one of the battalions had died.

Letters from Havana of the 7th April say that the cholera had nearly disappeared. The whole number of deaths since the 26th February, were put down at 14,935—or about one-tenth of the whole population! The disease was spreading in the country.

A letter from Matanzas dated April 19, says—"The cholera is raging here with much fury; it is impossible to form any correct opinion of its ravages, although I have endeavored to do so—I even question whether the government itself has the returns of the number of interments; of the number of cases I know it has not, for I heard one of the most eminent physicians say to-day, he had not had time to report for a week past. Business is almost paralized, and all who could leave the city have done so; there are some cases in the country, some plantations having suffered severely.

"Two cargoes of slaves, (over 1,000), arrived a few days since; one of them landed her cargo south of this, (Matanzas), on the other side, *all of whom died*, although landed in perfect health; and the other, a few leagues to the leeward of this, the most of whom are dead, and the residue dying.

*Louisville, Ky. April 22*—We have understood that there have been a number of cases of cholera on board steam boats on the Mississippi. We learn that there were seventeen cases on board the Tobacco Plant, the greater number of which proved fatal.

NEW YORK. A law has just been passed by the legislature of this state to tax the debts due to non-residents. We consider this a great mistake in political economy, but shall be glad to find that, like a king of England, we have "erroneous views of things." We have not seen the law—but must suppose that it is altogether prospective.

That great building, the City Hotel, in New York, was much damaged by fire on the morning of the 25th ult. It broke out about 10 o'clock, in the attick, and the height of the building, and other causes prevented immediate action against the flames—but their progress was arrested, and the three lower stories uninjured, except by water. There was a long and fearful anxiety for several persons who were on the roof. Their retreat was cut off by the fire—and, at great hazard, they were compelled to descend by a rope which was happily thrown to them.

This establishment is owned by J. J. Astor, esq. and occupied by Mr. Jennings, at an annual rent of $9,000. In two days after the fire, the business of the hotel was going on as usual.

Another great fire happened in New York on the 28th, on Gold street—and fifteen buildings were speedily destroyed, or much injured.

*Eight acres of houses!* In the night of Tuesday last, at 11 o'clock, a fire broke out in the extensive stables of Messrs. Kipp & Brown, at the corner of Hudson and Bank streets, *New York*. It extended on Bank, Hammond, Greenwich and Perry streets—and the American says that all the houses which stood on *eight acres of ground* are destroyed with 41 horses, many stages and other carriages, and a great amount of household furniture, goods, &c. The buildings consumed, or materially damaged, are from 130 to 150—more than one-half of which were brick, and their loss is put down at 250,000 dollars. There was no want of water—but the vast quantity of hay and straw, and other combustibles, with which the fire started—put it out of the command of the firemen. It is positively said that this calamity was effected by a female, in revenge for some affront which she had received! Large quantities of goods which had been removed to supposed places of safety, were consumed, by the rapid spread of the fire.

GIRARD COLLEGE. The treasurer of the Girard trust has acknowledged by letter to the city councils of Philadelphia, the receipt of *two millions of dollars* from the trustees of the Girard bank, to be appropriated to the erection of the Girard college.

The architect of the college has estimated the expense of the plan adopted for the buildings at $900,000, $700,000 of which will be expended on the principal building, and $200,000 on the out buildings—and that six years will be required to complete it.

It is further estimated by the committee, that there will probably be no necessity for encroaching upon the capital of the fund for the erection of the building. From the gradual progress of the work as projected, it is believed that the annual interest will be nearly, if not quite sufficient for the buildings.

The erection of the new college will be modelled after the banking house of Mr. Girard,—the old United States bank, and the whole building will, in the opinion of the committee, "remain a lasting monument of his fame, as well as a model of architectural beauty."

BALTIMORE. The corner stone of St. James' church, was laid on Wednesday afternoon at the corner of Monument and Aisquith streets, by the most reverend archbishop *Whitfield*. We understand that this building, for the further accommodation of persons of the Roman Catholic faith, will be erected at the sole expense of the archbishop, and when completed will add much to the embellishment of that section of the city.

FROM CHARLESTON. Four companies of U. S. troops had left this city for Fortress Monroe, and two others were embarking with the same destination. One company had also sailed for New York. Col. *Bankhead* had relinquished the command of the troops in the harbor to major *Helleman*. And the war in this quarter is supposed to be at an end—for the present.

VIRGINIA. Mr. Loyall has been elected to congress from the Norfolk district, because of the addition of the Isle of Wight to it, under the late apportionment of representatives. The old Norfolk district stood thus—For Mr. King 1,225, Mr. Loyall 1,146; but Isle of Wight gave Mr. L. 282 votes against 36, and elected him by a majority of 167.

The Whig gives the following list of the members elected:

John J. Allen,* William S. Archer, William F. Gordon, Jos. W. Chinn, Charles F. Mercer, John Y. Mason, Edward Lucas,* James H. Beal,* Andrew Stevenson, Saml. McDowell Moore,* George Loyall,* James H. Gholson,* John Randolph,* Thomas W. Davenport, William P. Taylor,* John M. Patton, John H. Fulton,* William McComas,* Nathaniel H. Claiborne—To be heard from, the Ohio district, (in which Messrs. Wilson and Morgan are candidates), and the Accomac in which Messrs. Coke and Wise are candidates.

[The Ohio district has been heard from—and Mr. Wilson, a national repulican, is elected.]

Those marked thus* are new members.

According to the Whig, it is not easy to determine the *politics* of the members elect—and says: "Jackson or anti-Jackson, seems to be rather antiquated, though the Globe *insists* upon regarding that test, and that *only*. If it is still of that mind, we must ask of its condescension to inform us, how we are to class Messrs. Patton, Gordon, Gholson, Randolph, Davenport, Taylor? Are they Jackson men or not? Messrs. Allen, Mercer and Moore [and Wilson] are not and never were. If we adopt the *proclamation* as a test, Messrs. Patton, Gordon, Gholson, Randolph, Davenport and Taylor, are unequivocally opposed to it. To these we presume Messrs. Archer, Mason, Chinn, Claiborne, Loyall and Lucas may be added; or if more agreeable to the Globe, they may be ranked as disapproving some of its abstract doctrines, and approving others. We beg those gentlemen's pardons, if we have mistaken their sentiments through ignorance.

"The unsettled state of politics may be inferred from the difficulty, if not impossibility, of classifying gentlemen so conspicuous as to be chosen to congress. No wonder the people are befogged."

The editor of the Richmond Enquirer, having been harshly spoken of by Mr. Randolph in one of his recent speeches, in the last number of that paper, says—

"We owe our acknowledgments to Mr. John Randolph for several favors of this description. The time may come, when we shall return the debt with interest. He has calumniated us—but how, could we expect to escape his remorseless vengeance? Why should he who has abused so many others, have

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spared ourselves? Or, how could we, who despise his avaricious spirit, and his unblushing rapacity of the public money, have calculated upon his forbearance?"

In another place, in the same paper, he says:

"A man who has sinned against his own conscience, and sunk himself in the opinion of all honorable patriots, by plunging his arm into the public coffers, and disgracefully feeding in the public crib, may falsely charge us with looking only after the loaves and fishes.* We scorned to justify *his* rapacity—and the inextinguishable resentment which we have provoked, may now vent itself in the bitterest and the most unfounded reproaches. We defy them all—all—from the *low*, needy sycophant of John C. Calhoun, who is paid by the column, by his employer, to do his dirty work—or, from him, whose conscious soul shrunk abashed from the light of day, and caused him to appear like a guilty thing, in a convention of his fellow citizens—*up* to him who, "condemned to have an itching palm," could stoop to

——Sell the mighty space of *his* large honors,
For so much trash as may be grasped thus."

This is "awful." The "nuisance and the curse" that was—became a blessing, and has returned into a nuisance again! No man has such a happy knack of reforming angels of darkness into children of the light, or of transforming demi gods into devils, at his own sovereign will. But why quarrel with the philosopher of Roanoke because that he so greedily put his paw into the treasury chest? Why not rather blame those who permitted the plunder?

RISE OF LAKE ERIE. For the last several years, the rise of water in the lake has made serious encroachments on its southern shore in many places. For a considerable distance above the mouth of Black river, the banks of the lake are low and without rock. Twelve years ago, the bank was generally sloping, with a wide bench. Now the waves beat against a perpendicular bank, which from continual abrasion is frequently falling off. From one to three rods in width are worn away annually. The phenomenon of this rise of waters, remains unexplained. [*Ohio Atlas.*

LEHIGH COAL. The managers of the Lehigh coal company, have determined to deliver coal during the coming season, by the cargo, on board of vessels, at the company's wharves on the Delaware, at $5 50 per ton, when from 50 to 300 tons are purchased—at $5 25 per ton, when from 300 to 1,000 tons are purchased—and at $5 when more than 1,000. For any order not exceeding 100 tons, payment to be made on the 1st of November, 1833—above that quantity, one half on the 1st of November, 1833, and the other half on the 1st of January, 1834. In case vessels take in coal at Bristol, they will be towed up and down at the company's expense.

MUNIFICENT CHARITY. Col. THOMAS H. PERKINS, of Boston, has presented the following donation to the New England Asylum for the blind. Truly the spirit and liberality of such conduct is above praise:

"I give the house in which I reside, as a permanent asylum for the blind, upon the conditions expressed below. As the house is fifty feet square, and the adjoining land contains nearly eleven thousand feet, it will furnish accommodation for all the persons who may be thrown upon our community at one time; and as the stables are of brick, and substantially built, they may, if required, be converted into dormitories. The conditions I annex to the gift are as follows, viz:—The house and land shall always be occupied as an asylum for the blind; and in case the present mansion should be destroyed by fire, it shall be rebuilt for the same purpose; or in case it is not rebuilt, within three years after being destroyed, the land shall revert to my heirs at law.

"I value the estate at $30,000; but as a house, whatever be its value, is of comparatively little use without the means of supporting those who are to inhabit it, my second condition is, that $50,000 shall be raised to form a fund for the support of the establishment; hoping that it may be increased by donation hereafter, by those who are at present unable to afford their aid. Another condition I shall exact by the terms of the deed, which I shall give, is, that in case the corporation for the blind should cease, the estate shall revert to my heirs at law—hereby making it obligatory upon posterity to keep up the establishment, to avail itself of my donation."

☞ Mr. J. P. Cushing, of Boston, has given 5,000 dollars, in furtherance of the above magnificent project—and two other gentlemen are named that would give the same sum. It is probable that the amount will soon be made up, so much for "Yankee notions" and "wooden nutmegs."

THE SECRETARY OF THE NAVY. There has been a difference of opinion (our readers are aware) as to the real object of the mission of the secretary of the navy to the south-west. We get entirely new light on the subject from the administration paper at Louisville. His tour is, it seems, in some degree at least, connected with a counteraction of the supposed influence of the abolition of slavery in the British West Indies. Among all possible objects of the secretary's journey, we certainly never should have guessed at this. [*Nat. Intel.*

*From the Louisville Public Advertiser.*

The reply of lord Althorp to the inquiry of the marquis of Chandos, as to the probable course of the British ministry with regard to the abolition of slavery in the West Indies, indicates that such a measure is seriously contemplated. If adopted, its bearing on the condition of the southern states of this union must be speedily felt. *The executive is fully aware of this*, and we do not doubt that *steps will be be taken to counteract the influence which it is supposed the English project will necessarily have.*

We are inclined to believe *the southern tour which the secretary of the navy is now making, is, in some degree, connected with this subject.* An increase of our naval force on the southern coast may be required; the harbors at Pensacola and Key West may need improvement, and other points may be selected, possessing equal or greater advantages, for naval stations.

AN AFFRAY AT ECONOMY, PENNSYLVANIA. *From the Pittsburg Manufacturer*—

"We learn that a serious affray occurred among the Germans living at Economy, eighteen miles below Pittsburg, and those at Phillipsburg, in Beaver county. It appears that the assailants were composed of persons who were formerly members of the Economy society, but who seceded with the celebrated German adventurer, Barnard Muller, (but better known here as count de Leon), at their head, and settled themselves at the town of Phillipsburg, which they purchased of Messrs. Phillips and Graham, and partly paid for. We know not the exact cause of this serious affray which occurred between the members of these two societies, but believe it arose from the division of the property consequent on the secession of the followers of count de Leon. In the affray many serious wounds were inflicted by both parties; and but for the timely arrival of the sheriff of Beaver county, lives would probably have been taken by the excited combatants. Several of the Leonites or Phillipsburg members, have been arrested and imprisoned in Beaver county jail. We therefore suppose a legal investigation of the matter will take place, which we shall give to the public.

☞ The "Pittsburg Gazette" with reference to the preceding, says—

A gentleman, residing in Beaver, related to us, a few days ago, an anecdote which pleased us much. At the time of the late disturbance in Economy, the people near that village collected in considerable numbers to preserve order and to suppress any violence which might be attempted. Among those thus assembled were *some*, known not to be very friendly to the Economites, and yet, these persons were as ready and willing to interfere as were the warmest friends of Mr. Rapp and the society. The assailants were much surprised at this, and some of them exclaimed—why do you take the side of the Economites; we know that you do not like them? "It is true," replied the men thus appealed to—"it is true that we do not like the society, but we *take the side of the law.*" The Germans could not understand this kind of abstraction. They expected that the yeomanry of the surrounding country would make the matter entirely personal, and *take sides*, according to their respective predilections.

THE ANT BEAR. *Salem, (Mass.) April* 22.—Monsieur Buffett, a distinguished French naturalist, arrived this morning in the Clio from Rio Grande, has a rare and valuable collection of birds and quadrupeds. He has spent several years in travelling through the states of South America, particularly Brazil, and in his researches has discovered much to add to the cabinet of the ornithologist. Among the quadrupeds on board the Clio is a female ant bear, or ant eater. This animal is seldom, if ever, seen in this country, and we believe this is the second one that has lived to reach here. It is about seven feet in length and two high, and is perfectly harmless, although it has strength sufficient to master a tiger. When she lies down to repose, her tail serves as a shield from the weather, it being large enough to cover the whole body—when viewed in this situation, she resembles a straw mat spread on the ground. Its food consists entirely of eggs. [*Essex Register.*

JAMAICA. The Cornwall Chronicle of the 30th March has an article which states that a full meeting of magistrates took place on the 25th March, when Mr. Murray, the Wesleyan minister, and Messrs. Abbott and Nicholas, Baptists, were summoned to attend. They were required by the bench to enter into securities *not to preach*, or to hold meetings for that purpose. Upon their refusal to comply with the requisition, they were sent to the county jail.

## INSURRECTION IN FORMOSA.

From the Canton Register, of December 20th, we derive the following particulars of the insurrection in the island of Formosa. It appears to be of a formidable character.

The insurrection commenced near Chang foo-heen about 40*le* from Tae-wan-foo, (the capital of the island) where twenty six mandarins, great and small, together with about two thousand men, were killed.

The inhabitants of the western side of Formosa are natives of the island: Chinchew men, and Canton men; and the affray originated about five peculs of yams, which some Chinchew vagabonds took away from some of the resident Canton people, who immediately applied to the heads of the village where the

*John had said that *Thomas* was a man of *seven principles*—"five loaves and two fishes." [EDITOR.

plunderers lived, and received redress, but thinking that by applying to the Chang-hwa-heen they might prevent a recurrence of similar outrages, they did so, and the Chang-hwa-heen directly called upon five of the heads of families, and demanded money to the amount of 1,000 dollars each, the payment of which they resisted alleging that the affair was already settled.

To this he lent a deaf ear, keeping them in prison till the money should be paid. When they had been thus, for seven or eight days in confinement, finding them untractable he raked up a stronger charge against them, calling upon them to produce a Ladrone, who had escaped, and who could not be found. The head men concerned, exasperated at this unexpected demand, sent to the village privately, and offered a reward of 1,000 dollars to any one who would kill the Chang-hwa heen. The villagers listened to the proposal, and in open day attacked the house of the officer, killed him and his attendants. The Taewan-foo, hearing of the affair, went in person, attended by about five hundred soldiers, when he was attacked, killed and all his force destroyed. Several other bodies of troops advanced, under various officers and were also beat off with great slaughter.

When the last accounts left, the Ching-tsung-pingkwan was missing; the city of Tae-wan-foo in the possession of the Taewan-tae-yay, and about 30,000 men hired for the occasion. The villagers under the five head men; were advanced against it more than 50,000 strong. From Amoy, 5,000 troops had embarked for the island under the land and water Tetubs. So the affair rests for the present.

## YANKEE WIT.

The following is a capital and fair "hit," at certain things which have lately happened:

DINNER TO MAJOR JACK DOWNING—EXTRACT OF A LETTER FROM DOWN EAST.

It affords me much pleasure to be able to send the first account of the civic honors conferred on this illustrious chieftain, who has been so instrumental in bringing to a glorious and bloodless termination the war of the straddlebugs.

On the arrival of major Downing at the barrier of slabs and upturned roots which forms the eastern line of Harrysuki, and is now the suburbs of Downingville, he was met by a committee, the chairman of which, squire Joshua Grant, addressed the major as follows:

"Major Downing! Penetrated with the profoundest feelings of respect and gratitude, your fellow citizens of Downingville and of the region round about, have directed us to meet you at the threshold of your native city, rendered illustrious by your deeds of arms, and in their name to welcome and congratulate you on your safe return, after the perils, fatigues and hair breadth escapes encountered by you, alone and single-handed, in meeting the whole chivalry of South Carolina, with brigadier general Hamilton at the head, and ensign Frost at the tail;—sustaining the honor of knighthood unsullied; compelling the enemy to retreat beyond the reach of his own voice; out-bragged him at all points; and finally causing him to lick the dust, and cry peccavi!—thus shewing to all Europe, Asia, and a pretty considerable part of Africa, how much can be done by one man when he is in earnest! We, therefore, invite you in the name of your fellow citizens in general, and your military copatriots in particular, to partake of a public dinner now "being cook'd," and in all probability (unless the devil is in the pot) will be ready in two hours from this time."

To which major Downing was pleased to make the following laconic and characteristic reply:

"Gentlemen! No more palaver, but let us prepare for action—some bitters—and while the punch is brewing I will take a julap, and then to dinner with what appetite we may."

At one o'clock, the company sat down to a sumptuous repast prepared in captain Zebulon Tripe's best style. After the cowcumbers were removed, the president, general Flash-in-the-pan, rose and addressed the company in substance as follows:—Fellow soldiers and fellow citizens: citizen soldiers and soldier citizens! one and all please to fill a bumper to the man that's filled the gallon pot of his country's glory, and is ready to do it again and again if so be his country's glory should again be dry: are you all filled?" "I rather guess not," said lieutenant Spare-ribs—who like somebody of old grew hungry on what he fed on. The president not hearing or not heeding the lieutenant's reply, gave "Our guest—if Trajan found a Pliny, major Downing shall not lack an historian, nor brigadier Hamilton a bellows blower."

9 cheers—music "The Campbells are coming."

Major Downing arose amidst a thunder of applause, and with that peculiar winning, modest, retiring manner, and subdued tone, said: "Mr. President and gentlemen! little did I think when I left my native hills to meet the wishes of the hero of three wars (since the war of nullification is ended) little did I think that in the short campaign of six months such a change would be wrought in the destinies of the world! When I left you, all was dark and dismal despondency. The tariff, that terrible monster, was abroad like a roaring lion, seeking whom he might devour—all was going to wreck and ruin. The sun never rose till noon-day, the moon hid her pale face behind a nullification cloud which grew thicker and thicker and thicker, until my arrival at Washington, when on the 10 of December, anno Domini 1832, Andrew Jackson and myself issued a proclamation which dispersed the cloud and produced (if I might be allowed so to say) a day of political Pentecost; when Parthians and Medes, Elamites and dwellers in Massachusetts, were all amazed, saying one to another 'what is this we hear? *our own tongue wherein we were born!*' A truce was sounded by squire Calhoun, and a nine years armistice agreed to by and between the keeper of the bullys and the keeper of the tariff, by which it is agreed that the tariff is to go at large, having one inch of his tail cut off every year for eight years, and then the whole to be clipped close to the rump, provided they can hold him to perform the operation. Thus you see, fellow citizens, how all our difficulties are settled to the satisfaction of every body, and the tariff is now as tame and as harmless as a pussy cat—even before one inch of his tail is curtailed."

The major concluded his very animated remarks by proposing very magnanimously—the health of

Governor General Hayne,

Brigadier General Hamilton, and

"Ensign Frost!"

Wo to the Yankee who has his *sauce* out when *such* a frost comes on!

Song—"*Twenty thousand volunteers* all in a row."

Several other speeches and "volunteer" toasts were uttered, but I have not time to give them in regular order, but hope to have them prepared and revised by the authors, to send you next mail.

*One of the invited guests, being "a stranger of distinction."*

"Down East," April 10th.

## THE GEORGIA GOLD REGION.

*Charleston, April 16.* We have received the first number of a new weekly paper, called "The Western Herald," published by O. P. Shaw, and edited by A. G. Fambrough, at the village of Auraria, in the gold region of Georgia.

The village of Auraria is situated on the ridge dividing the waters of the Chestatee and Etoah rivers, in Lumpkin (originally Cherokee) county. This melodious and appropriate name was adopted on the suggestion of Mr. Calhoun, when at his mines in the neighborhood, last November.

The first cabin was erected in Auraria about the first of June last, by William Dean, esq. who was followed by Nathaniel Nuckolls, esq. who opened a house of entertainment for the accommodation of those disposed to examine for gold in the surrounding country, and soon had it crowded. Around this nucleus a population soon gathered, composed of all classes and conditions of the human family, and there is now in Auraria one hundred family dwellings; eighteen or twenty stores; twelve or fifteen law offices, and four or five taverns, &c.

The town population is estimated at one thousand, and that of the county at ten thousand, and constantly increasing with a rapidity almost too incredible to relate.

The Indian population is small; their right of occupancy to the soil having, in most cases, been extinguished previous to the survey and distribution of the country.

The mines already drawn in the vicinity, (not involved in litigation) are yielding to the proprietors in rich abundance, the anticipated fruits of the most sanguine speculator.

The price of gold in Auraria is from 85 to 92 cents per dwt. according to its fineness; that collected in the neighborhood will average 90 cents, when well cleansed; when fluxed and run into bars, 92 cents.

Mr. McCollom, late of Tennessee, has constructed in the neighborhood a boat with a diving bell attached to it, for the purpose of raising gravel and collecting gold from the bed of water courses. The "Herald" gives the following account of "golden specimens" found in the vicinity.

"A. McLaughlin, esq. of our county, exhibited to our inspection, a few days since, a specimen from his mine, weighing upwards of forty dwts. supposed to be four-fifths gold, the remainder rough sand, which, from every appearance, must have been cemented to the bulk by heat at the time of its formation.

"Col. D. C. Gibson has also brought us a specimen taken from the bed of the Chestatee river, on the lot owned by himself and col. Calhoun, weighing nine lbs. and three oz. with one hundred and twenty-four particles of gold upon its surface, plainly perceptible to the eye.

"On gen. Lawhon's lot in Cherokee county, we understand that a piece of pure gold was found last week weighing upwards of thirty dwts."

## BLACK HAWK AND THE PRESIDENT.

*From the Globe of April 27.*

Black Hawk and his son, the Prophet and his son, and the other Indian hostages surrendered under the late treaty, waited on the president yesterday, to receive his orders. The president met them kindly. He directed the articles of dress provided for them to be exhibited to them, and told the principal chief that the whole would be delivered to him to be distributed, with a view to their common comfort—that they must repair immediately to Fort Monroe, and remain there contented, until he gave them permission to return to their homes—that the term of their detention depended upon the conduct of their respective tribes—and that they would not be restored to their families until it was ascertained that the stipulations of the treaty had been complied with by their people, and all the bad feeling which had led to the bloody scenes on the frontiers banished.

The Prophet replied to the president, and said, that they expected to be permitted to return immediately to their people; that the war in which they had been involved, grew out of their

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attempt to raise provisions, where they supposed they had a right to do so; that they had lost many of their people, as well as the whites; that their tribes and families were now exposed to the attacks of their enemies, the Sioux and Menominees, and that they hoped to be permitted to return to take care of them.

Black Hawk added to the remarks of the Prophet, that they considered that, like Keokuck, they had come to visit the president, and, like him, would be permitted to return to their homes. He entered into some brief explanation of the cause of the aggressions on the frontier.

The president told them, in conclusion, that he was well apprized of the circumstances which led to the disasters alluded to—that it was unnecessary to look back to them—it was his purpose now to secure the observance of peace—to prevent the frontiers from being again stained with the blood of its inhabitants, the peaceful and helpless—that they need feel no uneasiness about their own women and children, they should not suffer from their enemies, the Sioux and Menominees. He meant to compel the red men to be at peace with each other, as well as with their white neighbors—that he had taken measures with this view, and when it was ascertained that they were effectual—when the tribes had learned that the power they attempted to contend with, was equally able and disposed to protect the peaceful and to punish the violence of aggressors—when his information assured him that their people in particular, were convinced of this, and were disposed quietly and in good faith to observe the terms of peace granted to them, then they would be restored to their families. He then gave his hand to the chiefs and dismissed them.

Black Hawk is not an ill-looking man—his countenance is intelligent, and not savage. The prophet, we think, has more the look of the mischief maker, and, indeed, he assumed to be the principal in the interview with the president. He was, we suppose, the instigator of the massacres perpetrated on the frontier. His utterance and manner, as well as his countenance, indicated a dark and ferocious character.

## SPERMACETI WHALE FISHERY.

*From the Nantucket Inquirer, of March 9.*

For the following statistical views in relation to the spermaceti whale fishery, we are indebted to a merchant of this place, who has carefully compiled them from the most authentic sources. We believe it to be the only accurate account yet published, of the importations of spermaceti oil, at the various ports of the United States during the past year; and of the exact number of vessels actually engaged in the fishery at the commencement of the current year.

By comparing the importations of spermaceti oil in 1832, with those of the preceding year, it will be seen that the supply was diminished more than 25 per cent.

*Produce of the spermaceti whale fishery* in 1832.

| | | | | |
|---|---|---|---|---|
| Imported in Pacific ocean ships at N. Bedford and | | Fairhaven, | 30,476 | bbls. |
| Do. | do. | Nantucket, | 30,450 | do. |
| Do. | do. | Newport, | 4,120 | do. |
| Do. | do. | Plymouth, | 2.120 | do. |
| Imported in Brazil ships, | | New Bedford, | 5,550 | do. |
| Do. | do. | Nantucket | 407 | do. |
| Do. | do. | New London, | 703 | do. |
| Do. | do. | Sagharbor, | 1,000 | do. |
| Do. | do. | Bristol, | 200 | do. |
| Do. | do. | Warren | 223 | do. |
| Sent home by outward bound ships, | | | 2,000 | do. |
| Taken in Atlantic ocean by small vessels, | | | 1,750 | do. |
| Total import of 1832, | | | 78,999 | bbls. |
| Import of 1832, 107,751 bbls.—deficiency, | | | 28,753 | bbls. |

At sea from the United States, employed in the sperm. whale fishery, Jan. 1, 1833, 203 ships and barques, viz:

From New Bedford and Fairhaven, 90; Nantucket, 57; New London, 10; Bristol, 10; Warren, 5; Edgartown, 5; Falmouth, 5; Hudson, 4; Newport, 4; Plymouth, 2; Salem, 2; Fall river, 1; Portsmouth, 1; Poughkeepsie, 1; Rochester, 1; Wareham, 1; Dartmouth, 1; Holmes' Hole, 1; New York, 1; Sagharbor, 1—Total 203. Of which 8 sailed in 1829—48 in 1830—70 in 1831, and 77 in 1832.

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A very important statement concerning the whale fishery is inserted in the volume of documents which issued from the New York convention of the friends of domestic industry. Among other things, it shews the quantity of sperm. oil imported from 1816 to 1830, inclusive. The quantity in a year is very uncertain—for instance, in 1826—32,840 bbls. in 1827—93,180; in 1828—73,077; in 1829—79,840; and in 1830—106,829.

This business consumes 30,000 bbls. of flour, and 30,000 bbls. of beef and pork, with great quantities of staves, iron, cordage and lines, duck, &c.

Of the common whale oil about 120,000 barrels were imported in 1831.

The whole number of ships employed, in both fisheries, is about 400—their value $7,500,000, and that of the annual product, one year with another, $3,500,000; and in all requiring not less than 140,000 barrels of flour and beef and pork, annually, 10,000,000 staves, and a vast amount of other lumber, timber, &c.

"Free trade" England imposes a duty of 5s. per ton of 252 gallons, on (right) whale oil, and of 8s. 3d. on sperm. oil—if imported in British vessels, manned with British subjects, being British caught—but of £22 3s. 4d. and £34 18s. 3d. if American caught, and imported in American vessels.

## INTERNAL IMPROVEMENTS.

In our collection of pamphlets, there is one published at Baltimore in 1825—recording the proceedings of "the [Maryland] state convention, on internal improvements," &c. with an "appendix, containing the views of *Thomas Ellicot*, esq." which latter so much accords with our own opinions on the general subject, and are so important in this AGE OF VETOES, that we are induced to make a liberal extract—as follows:

"If it be an axiom that labor is the source of wealth—that the most fertile lands possess no intrinsic value, unless labor be united with them in producing those commodities which add to the convenience and happiness of man—the richest mineral productions of nature have no intrinsic value, unless labor be applied to convert them into convenient form for use; hence a country abounding in the most fertile soil—all the various mineral productions—the finest rivers and water powers for prosecuting the mechanic arts—with a varied and highly genial climate, may be so poor as not to afford a comfortable subsistence for a single individual; because the absence of labor prevents the bounties of nature from being called into action to supply the necessary wants of human life.

"All plans, therefore, which are calculated to produce the application of labor, to bringing into operation those latent bounties of nature, which, but for labor, would remain in the bowels of the earth, are plans that are highly worthy the consideration of political economists, and are legitimate objects for the exercise of sovereign power.

"It is a principle in political, not less than in domestic economy, that when the expenditure exceeds the income, poverty must ensue. A nation can no more sustain, in fact, a balance of trade against her, for a long time, than can an individual. Though an individual may own tracts of the finest lands, if he neglect, either directly or indirectly, to apply labor to cause them to produce the commodities that will supply, not only such of his wants as they are capable of, but in addition to this, also, a surplus sufficient to exchange for such commodities as his happiness requires, and which his own domain will not produce: such an individual may exist, but his reasonable wants will not be supplied; he can neither bear his portion of public burthens, nor educate a family in such way as shall preclude the certainty, that a few generations only will elapse, before such family will have sunk into barbarism. A community thus circumstanced, would, by parity of reasoning, pass few generations before it would become semi barbarian.

"If an individual should possess an island so remote from the other parts of the world, that the produce of his fertile soil, brought forth by the most judicious application of labor, will not bear the expense of transportation, to effect an exchange for articles produced in other parts of the world, and which are necessary to supply his reasonable wants, his labor would be lost; his fertile soil without value, and he miserable. No stimulus exists to labor beyond the amount necessary to sustain life, and he dwindles from a useful member of a social community to a drone, existing in common with other animals, by the same means, upon the common air.

"Thus the United States, extending over a region containing every variety of climate and soil; every where irrigated with the purest streams; with a population unequalled, for industry, intelligence and enterprise, spread every where over her territory may, nay, must become, in a few generations, less industrious, less intelligent and less enterprising, if labor shall continue to receive no reward, owing to the expense attending the transportation from the grower to the consumer.

"If a barrel of flour shall be worth, in the island of Cuba, seven dollars, and it will cost to the grower of the wheat, seven dollars to transport the flour from the place of its production to Cuba, he will receive no reward for his labor: but, if a barrel of flour will sell in Cuba for seven dollars, and the grower of the grain can convert it into flour, and transport it to Cuba for five dollars, he will receive a reward of two dollars for his labor.

"Under such circumstances, labor is most valuable near the seaboard; because the expense of transportation from the producer to the consumer is less—a scale may be graduated from a point on the seaboard where labor is most valuable, to a point in the interior of the country where it is of no value, as a means of producing wealth.

"For instance, suppose a ton of iron in England be worth fifty dollars, and the freight even in a foreign vessel, will cost four dollars; if this iron be produced in Baltimore county, Baltimore county will gain forty-six dollars for that which cost nothing but the application of labor upon inert matter, for neither of which she would have received any thing but for the market afforded in England. But if the ton of iron is to be sent from Pittsburg to England, the cost of transportation from Pittsburg to Baltimore must be also deducted from the English price; which would be so great that there would be no reward left for the labor required in converting the mineral into malleable iron; it would therefore not be produced at Pittsburg; both the mineral and labor would be of no value at that place.

"A ton weight of superfine flour may be worth at Baltimore, for exportation to foreign countries, fifty dollars, while at the distance of two hundred and fifty miles from Baltimore, in the

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interior of the country, it will be worth nothing for exportation, because by the ordinary means of transportation, even on good turnpike roads, it will cost fifty dollars to transport it to Baltimore. The soil, therefore, must remain unoccupied, because the husbandman can receive no reward for his labor—and the nation will be none the richer for possessing both land and labor, at the distance of two hundred and fifty miles from the seaboard, unless the value of agricultural products shall increase in foreign countries, or labor be diverted to other objects than the growth of grain.

"The expense of transportation on the most perfectly constructed turnpike road, per mile, will be nearly as follows, viz:

"For twenty miles, which is a day's travel, it will require, to carry two tons, six horses and one man—

| | |
|---|---|
| Six horses at 75 cents per day, each, is | $4 50 |
| One man at 75 cents, | 75 |
| Making | $5 25 |

"Which, divided by two, will leave, for transporting one ton, $2 62½ for twenty miles, which $2 62½ divided by 20, will make the cost of transportation of one ton, one mile, 13⅛ cents.

"The expense for transportation by a good canal will be as follows, viz:

"For twenty miles, which is a day's travel, it will require to carry twenty-five tons, one horse, one man and one boy—

| | |
|---|---|
| One horse at 75 cents per day - - - - - | 75 |
| One man at 75 cents per day - - - - - | 75 |
| One boy at 50 cents per day - - - - - | 50 |
| Making together | $2 00 |

"Which, divided by 25, the number of tons, will give 8 cents for transporting one ton twenty miles; which 8 cents, divided by 20, will give less than half a cent per mile for a ton weight.

"In this calculation there is no charge for wagon or boat; nor is there any charge for toll, because these would be nearly equal in either mode.

"Let it, however, be assumed as a fact, that the cost of transportation on a road is twenty cents per mile, exclusive of tolls, for each ton weight; it will appear then that a ton weight that is worth fifty dollars on the seaboard, is worth to the producer of the article one dollar less at the distance of five miles therefrom, and so on for every five miles as he recedes into the interior of our country; until at the distance of two hundred and fifty miles, it is worth nothing with the ordinary means of transportation.

"It will then follow that all the labor which the population of that portion of our country which is situated two hundred and fifty miles or more from a shipping port, with all the fertile lands equally distant, are worth nothing, as a source of national wealth, if the labor can only be employed in agricultural pursuits, or in the production of articles of no greater value than wheat; because there is no inducement to employ labor, which is the mother not only of individual, but of national wealth.

"The demand for the produce of our soil, it is true, may become greater than it now is, or has been for the last seven years; and consequently, the value be increased on our sea coast, so as, at times, to extend the limit beyond two hundred and fifty miles, from which the great staple of the middle states may be exported; but this will not alter the principle: the relative value of land and labor will remain the same, agreeably to the scale of distances stated—for, admitting that a foreign demand shall increase the value of a ton of flour to double of its present value, or one hundred dollars at the port of exportation, the same article would be worth nothing, as an article for export, at the distance of five hundred miles from such port.

"Having now, as I suppose, established the premises, that neither labor nor land, with the ordinary means of transportation, are of any value as a source of national wealth, during the present pacific state of the world, at a distance of two hundred and fifty miles from navigable waters; it will follow that, if the means of internal transportation cannot be rendered less expensive than it now is, that at least two-fifths of the physical power of the nation, with eight tenths of its most fertile soil, must remain inoperative, until called forth either by increased demands in foreign markets for the produce of our soil, or until the means of conveyance from the grower to the consumer shall be rendered less expensive.

"If it be admitted now that the exports of the United States amount to fifty millions of dollars annually, with but three-fifths of the population employed in productive labor, it will follow that, if the remaining two-fifths can be employed with equal industry upon a superior soil, that the surplus produce for exportation will be eighty-three and one-third millions, thereby adding to the national wealth thirty-three and one-third millions of dollars annually, from a source now producing nothing beyond the means of subsistence of the population inhabiting a remote, though the most prolific portion of our country.

"This wealth may not, it is true, return to us in the precious metals; but if it is more than sufficient to supply our wants in the products of other countries, the difference must remain with us in those metals. Experience has shown, however, that with the means of gratifying wants, wants increase; and hence it is fair to presume that an increased importation would naturally follow a greatly increased exportation: the effect of which would be, that, supposing an increased importation to the amount of thirty-three and one third millions, and the imposts to be collected upon the amount at an average of twenty per cent. the resources of the national treasury would be augmented upwards of six and an half millions of dollars annually; or in ten years sixty-five millions.

"But there are other considerations of great weight, which ought to urge the general government to the adoption and execution of an enlarged system of internal improvement.

"Nearly the whole body of public land lies far in the interior of our country; too remote from the sea coast to justify a hope that it can be sold to settlers for the purpose of cultivation, until a channel is opened by which the surplus produce of the soil can be transported to market.

"The United States is supposed to contain two millions of square miles, and, at the rate which Europe is populated, is capable of sustaining one hundred and twenty millions of souls—one million square miles are assumed to be arable land. The Atlantic states may contain about three hundred and seventy-five thousand square miles, of which one-half or one hundred and eighty seven thousand are supposed to be arable; this amount deducted from one million will leave for the western states and territories, eight hundred and thirteen thousand square miles, or upwards of five hundred millions of acres of arable land. Of the whole quantity of land west of the Alleghany mountains, there is but an inconsiderable portion sold: perhaps not more than two hundred thousand square miles: and this is incumbered with a debt due to the government of about twenty millions of dollars. There must, therefore, remain in the hands of government upwards of six hundred thousand square miles, or three hundred and eighty-four millions of acres of arable land. A great portion of this land, it is true, may not be required for settlement and cultivation for a long time; but it is a mine of wealth, which the nation may, with much certainty, look to at some time both for direct revenue, and indirectly, through a vastly extended population, as resources of incalculable national wealth.

"The population of the United States, which now amounts to ten millions, may be reasonably expected, within the next thirty years, to amount to twenty millions, and will naturally seek to spread itself into that region of country where land is to be had upon the cheapest terms and of the best quality.—This increase of population will furnish purchasers for lands, that would otherwise remain useless to the nation. A reasonable estimate would be, that one-half of this increase will be located in the valley of the Mississippi, and that ten acres of public land will be purchased for each inhabitant. This, for five millions, in addition to the inhabitants which that region now contains, would require fifty millions of acres of land; which, at one dollar per acre, would produce to the national treasury fifty millions of dollars, at the end of thirty years. Great as this consideration is, it is, however, of minor importance, when it is considered that the labor of this five millions will increase the whole exports of our country one half more than they would be, if the land remains useless for want of a cheap and easy channel of communication with other parts of the world.

"Under such views, can a doubt exist that it is the true policy of the national government to use all the constitutional power it possesses to call into action the force of the nation, in producing from that which is now useless, that which is valuable and necessary to the whole human family. It would seem that sound reason, not less than self interest, would forbid a different conclusion. The object then, is a national one; the nation at large is to be benefitted by an augmentation of its wealth, and the treasury of the government is to be enriched from that cause. Who then ought to effect the work? The government of the nation. Who ought to pay the expense? The national treasury.

"But it will be asked, admitting that the government of the United States has ample powers, and the national resources would be augmented to the extent supposed, what measures must be adopted that will produce the result? It may be answered, canals, or rail roads, if experience shall prove them preferable. But canals have been proved in Europe and more recently in our own country.

"Let us therefore, examine the result of a calculation upon the means of transportation by canals, and see whether that portion of the labor of our country with the fertile lands, which lie beyond a distance of two hundred and fifty miles from the seaboard, may not be brought into operation.

"The expense of transportation upon a good canal, exclusive of tolls, does not exceed for a ton weight, by actual experiment, one cent per mile. If, then, a ton of flour at Baltimore be worth fifty dollars for exportation, at the distance of two hundred and fifty miles from Baltimore, it will be worth forty seven dollars and fifty cents, or at the distance of five hundred miles, it will be worth forty five dollars; affording an inducement sufficiently strong when their more fertile soil is considered, to call forth the energies of the population of that portion of our country which lies more than two hundred and fifty miles from the sea coast.

"If the introduction of canal transportation will, with a population of ten millions, increase our exports of domestic articles from fifty to eighty-three and one third millions, it will follow, admitting that only one-half the increase in the next thirty years, shall settle on the west of the Alleghany mountains, and that no increased export shall take place in consequence of an increased population on the east of those mountains, that at the end of thirty years our exports will amount to one hundred and twenty-five millions of dollars annually; and consequently, if the proceeds of this shall be returned in articles paying the same duty that is imposed by the present tariff, the revenue of the government will be further increased five millions of dollars; mak-

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ing in the whole, an increased revenue of eleven and an half millions annually, in consequence of calling into action additional labor, by affording the means of canal transportation to the products of the west, at the end of thirty years; to which may be added the addition of fifty millions of dollars, the proceeds of the sale of public lands, that otherwise would remain unproductive in the hands of government; and, also, enable the debtors to the United States to pay for land already sold, twenty millions of dollars, by affording them the means of transportation for the produce of labor to market. These results being susceptible of mathematical demonstration, require no further elucidation; nor can it be supposed that the enlightened body who compose the government of the country, can require arguments to convince them that the true principles of political economy require that measures should be adopted, without delay, which shall in the shortest time possible, effect objects so highly beneficial to the community over whose destinies they hold so important a control.

"If the preceding views be correct, it would seem clear, that the people of the United States, as a community, are all deeply interested in opening a communication from the waters of the Atlantic to those of the valley of the Mississippi. At what point this communication ought to be made, can only be ascertained by actual survey and admeasurement; that which shall be the shortest and most certain ought to be adopted, without regard to local prejudices or partial considerations. And it is of secondary importance to the nation, whether the expense of construction shall be ten or twenty millions of dollars, seeing that it will be paid for by money, which will have been drawn from the pockets of the community, and which, after having returned to them, will again find its way in the shape of imposts to the public treasury.

"But the recent instance of the construction of a canal from the Hudson river to lake Erie, a distance of three hundred and sixty miles, by a single state of this union, without imposing a dollar tax upon her inhabitants, shews that no fears are to be entertained of increased public burthens, even by those who watch over the treasury of the nation with the most Argus-like eyes.

"If it be admitted that the canal to unite the eastern and western waters, were to cost twenty millions of dollars, and to be ten years in the construction; that the whole money to be expended should be borrowed, upon an average of five years time, at five per cent. interest; the cost of the canal would then be, when finished, twenty-five millions of dollars, the interest of which would be one million two hundred and fifty thousand dollars per year; for which, in the first place, the nation would increase its exports thirty-three and one-third millions annually, with its present population, and increase its revenue six and a half millions annually, in addition to whatever tolls shall be imposed upon the navigation.

"These considerations have induced me to believe, that the only question with the general government ought to be, is the communication between the waters of the Atlantic and those flowing from the immense valley of the Mississippi, practicable, either by canals or rail roads, with locomotive and stationary engines? and not what will be the expense in the construction? seeing that if it be at all practicable, no expense can be incurred but what the nation can bear without oppression in the first place, and which, in the end, will be ten fold remunerated.

"And here, permit me to state, that I entertain none of those scruples which appear to prevail in some parts of our country, upon the legitimate powers of the general government, extending to what is emphatically termed works of internal improvement; provided those works are calculated either 'to pay the debts or provide for the common defence and general welfare of the United States;' or 'to regulate commerce among the several states,' or 'to establish post offices or post roads;' inasmuch as congress possesses the power 'to make all laws which shall be necessary and proper for carrying the above objects into execution'—I entertain, and I trust the general government will entertain none of those scruples, because the necessary powers appear to be as clearly granted to that body as any other implied powers under the constitution.

"If the adoption and execution of a system of internal improvement will not aid in the 'payment of the debts of the United States,' by increasing their ability to produce the means of payment, or will not aid in the 'common defence,' by providing channels of communication for the transportation of the means of national defence, from one part of the union to another; or will not 'promote the general welfare,' by increasing the resources of the nation, and cementing the union, by the ties of intercourse and common interest; or will not 'regulate commerce among the several states,' between which no commerce can exist without such improvement; or will not 'establish post roads'—if none of these objects will be effected, then, indeed, is the general government precluded from legislation upon the subject: but if any one of those objects are to be accomplished by the construction of roads and canals, then the general government certainly possesses the constitutional power 'to make all laws which shall be necessary and proper for carrying such objects into effect.'"

[☞The rest of the matter is generally local, and is therefore omitted, except the last paragraph.]

"Having endeavored to show, that the interest of the United States, at large, will be greatly promoted by the prosecution of a liberal and extensive system of internal improvement, which shall extend its benefits to every portion of the union, and that no constitutional impediment now exists to their government immediately commencing such works; and also, that the state of Maryland is equally interested in the adoption and prosecution of a liberal system of internal improvement, within her own limits: and that her resources are amply sufficient to meet any expense she may incur in effecting a work, calculated in so great a degree to increase her population and augment her wealth, I commit the resolutions, which I have had the honor of submitting, to your candid consideration, with an assurance that if the principles they contain shall be found objectionable, that any others which may be proposed, and which shall present a reasonable prospect of accomplishing a work in which I feel that all my interests are united, shall have my most cordial approbation and support."

☞While the Alleghanies stand,—will stand the principles so ably set forth by Mr. Ellicott.

## LEGISLATURE OF NEW YORK.

IN SENATE—APRIL 12. *Report of the committee on finance, on the bill from the assembly relative to reducing the rate of interest, and sundry remonstrances against the same.*

Mr. *Bronson*, from the committee on finance, to whom was referred the bill from the assembly to reduce the rate of interest to 6 per cent. and discount to 5½, and guard these rates by the existing usury penalties; and to whom also was referred the several remonstrances from the cities of New York, Hudson and Albany, and from the county of St. Lawrence, against the passage of said bill, reported:

That the important bearing of the proposed enactment upon the industry of our state, the elaborate discussions had thereon, the anxiety manifested in relation to the measure, and the diversified views of legislators, commend it to the careful consideration of the committee, and demand their best efforts to elucidate a subject somewhat perplexed by subtilties and speculation. They propose,

1st. To explain the distinction between capital and currency:

2d. Describe the appropriate office of each and the laws which govern them, and allude to our banks:

3d. Inquire into the necessity or propriety of regulating by law the hire or interest to be paid for capital.

And 1st. Capital comprises all the commodities of a country which have value, including the soil, mines, manufactories and their products, as well as merchandise and the artificial channels, the vehicles, craft, ships, &c. which circulate it.

The amount of capital thus defined, owned or possessed by the citizens of this state, or invested in it, we estimate at a sum not less than 800 millions of dollars.

The valuation by the town and county assessments, including the stock of chartered banks, would amount to about half that sum, allowing for other corporate property not returned by them, for under valuation, for personal property which escapes the assessor, and it is believed the above estimate is below the truth.

The currency of our state amounts to about 14 millions, of which say 12 millions are bank paper, and 2 millions are metal. Our currency, therefore, bears the proportion to our capital of 1¾ per cent. that is, for every hundred dollars of capital we possess one and three-fourths dollars in currency.

*Office of currency, and the laws which govern it.*

The office of currency is to measure capital when it changes owners, or passes from producer to consumer, saving to parties the trouble of seeking out each other and exchanging their products. Thus, a person possessing a commodity and wishing to exchange it for another, first converts it to currency, and with that seeks out the article which he desires to possess. The currency is not an object of desire to either party, except so far as it facilitates the exchange of the commodities they would part with for those they would possess, and it is always dismissed so soon as it has performed this office of measuring the value of the article exchanged, and is again required to minister to the convenience of others in the same manner.

It has been estimated by writers of authority that one dollar of currency would exchange five dollars worth of commodities each year; thus our 14 millions would exchange 70 millions annually. Although currency bears so small a proportion to capital, yet it is of the first importance that it should be well regulated, measuring capital with precision and steady uniformity; for it is this small amount of currency, (1¾ dollars to the hundred), which stamps on capital its *apparent* value; we say apparent, for it does not affect its real or intrinsic value. A well regulated currency, or in other words, a uniform measure of capital, performs not only our domestic exchanges faithfully, but the foreign also; it regulates our exports and imports with all the precision of which exchanges are susceptible. But a deranged currency not only exchanges our domestic products imperfectly, but perplexes foreign trade, deranging exports and imports, and baffling the skill of the merchant in his efforts to equalize the markets of the commercial world. Thus a superabundant currency operates upon the capital it measures like a short yard stick, a light weight, or a small measure: while a contracted currency operates like the long stick, the heavy weight, or the large measure. Each extreme is alike mischievous. Abundant or degraded currency *apparently* swells the value of commodities, and we say houses, lands and merchandise are dear, whereas in truth, money is cheap, or currency is degraded. Thus, a man purchasing a farm, or merchandise, at a time when currency was degraded, being too abundant and too cheap at 25 per cent. and being obliged when his payment

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falls due to convert the same farm, or merchandise, into a currency restored to its true standard value, would find to his cost that the capital which had been measured to him at $4,000, and for which he had obligated himself to pay in currency, would, by the corrected and true standard, be measured back at $3,000, and that he had lost by this derangement of currency 25 per cent. of his estate, while the estate itself, the farm or merchandise, had neither gained or lost in its intrinsic value; but his loss had been produced by the use of a fluctuating measure or standard, a loss as fatal to him as if the estate had actually withered to two-thirds of its dimensions under his possession.

The currency of a country will always be best regulated when left free to obey the impulse of commerce, unshackled and unembarrassed by legislation. Such impulse will expand and contract its volume, expel it from a country when it has become abundant, and restore it again when it has become scarce. Commerce tends with all its force to equalize currency as well as all exchangeable commodities among trading communities, at home and abroad; and although, like the tide, it is perpetually ebbing and flowing and never finds an exact and quiet level, yet commerce will not tolerate great inequalities in the currency of the trading world, unless thwarted by political events or legislative enactments. It is this approach to equality of distribution which constitutes both the utility and perfection of currency.

The process of regulation is as follows: A superabundant currency at a given place becomes a degraded currency, compared with that of the rest of the world. It gives to exchangeable commodities a false value, raising the price of exportable articles until they will not pay cost and freight; then the dollar, the guinea and the doubloon drop their character of currency or measure of value, assume that of merchandise, and take the place of the bushel of wheat, the barrel of flour and the bale of cotton, which the merchant rejects, and go abroad in lieu thereof to pay a debt, or in search of foreign commodities with which to gorge a market rendered voracious by this excess of currency. An equilibrium is soon restored by the four fold operation of refusing to export the domestic products which accumulate at home, where they are useless, by superadding foreign commodities to a market already overstocked with them, and by transferring specie from a country where it is abundant and cheap, to one where it is scarce and dear. Thus money rises, commodities fall, exportation increases, importation diminishes, and the vibration thus produced is not arrested until the redundant currency has become a contracted one; commodities in *their* turn become too *cheap*, and money too *dear*, and the former are sent in search of the latter to *restore again* the equilibrium.

Such are the laws by which commerce and currency mutually govern and control each other, and when the currency consists of metal alone, its ebb and flow is so gradual as never to produce agitation, unless impeded or impelled in its progress by political convulsions or unwise and fickle legislation; an abundance or scarcity is hardly felt before it is corrected.

*Not so*, when 12 parts of the 14 of our currency is paper, which cannot like metal assume the character of merchandise for exportation. Commerce is then compelled to make all her drafts on this small stock of metal which the banks have collected to her hands and hold ready for banishment at the shortest notice. And at the moment commerce begins to exhaust the metal, the banks, under the influence of a panic, and in obedience to the law of self preservation, withdraw the largest possible amount of their paper currency in the shortest period of time, until by the combined efforts of all the merchants and all the banks, a pinching and cruel dearth of currency is suddenly produced, measuring out the debtors' capital to his more fortunate creditor with unrelenting extortion. It is true this severe process soon restores order and health to the commercial community, but like the tornado, which replaces a pestilent by a salubrious atmosphere, leaves abundant traces of its devastating march.

*Banking.*

This important subject, which the bank commissioners have discussed with ability, demands from us a brief notice, from its connexion with the subject under consideration.

If our banks could be restrained to their legitimate office, of furnishing our currency, and affording a safe deposite for the idle capital of our citizens, and possessed the power of withdrawing at pleasure a portion of this currency, as it became redundant, without producing revulsions in commerce, they would fulfil the office for which they were created, and prove abundantly useful to the public.

| | |
|---|---|
| The bank capital of our state amounts to about twenty-five millions | $25,000,000 |
| The currency | 14,000,000 |
| Deposites of idle capital, say | 10,000,000 |
| Together | $49,000,000 |

being the amount of the debt due the banks, excluding the United States branches.

If we assume that fourteen millions of currency are required to perform the exchanges of our state, then banking capital to an equal amount, say fourteen millions, it is believed would be adequate to our wants, and sufficient for all useful purposes.

Of these fourteen millions of capital, ten might be invested in public stocks, or permanently loaned on bond and mortgage, while the remaining four millions were held in specie; with the capital thus disposed, these banks might safely exchange their credit in bank paper for good commercial bills or notes, payable at two, three and four months, and thus would the banks furnish the fourteen millions of bank currency required, and would hold, in addition to their capital thus secured, fourteen millions of commercial paper, representing the exchangeable commodities of the country, always convertible to currency, and always to be converted and applied to their payment as the discounted bills reached maturity; every cancelling or payment to be followed by the discount of a new bill, and a new issue of bank paper; and thus would a sum equal to such capital be loaned and redeemed four times each year, amounting in the aggregate to fifty-six millions. If each 90 days loan of bank paper performed two exchanges of property before it returned in payment of the bills discounted, one hundred and twelve millions of commodities would be exchanged annually with this bank currency, a larger sum we doubt not than would require the agency of currency.

With such a reservation of specie, say four millions, and with good bills equal in amount to the currency in circulation, and payable at the rate of more than one per cent. or one hundred and fifty-five thousand dollars per day, being about one million per week, the banks could never be embarrassed, or alarmed by any commercial revulsions, and might witness the exportation of their specie with calm indifference, knowing that a few days' receipts would be equal to any redundancy of currency, they might have issued in exchange for business paper; for it will be recollected that this redundancy cannot be very excessive when confined to such operations, and it should also be borne in mind, that the banker has to provide, in case of emergency, to redeem an amount equal to the difference between the minimum and maximum of the circulation. If ten millions shall be the minimum, and fourteen millions the maximum, then four millions will be the most that can be thrown back upon the banks, leaving at the least ten millions suspended in circulation.

We have thus endeavored briefly to describe strict, rigid and useful banking, a system by which the banker could contract or enlarge his business gradually, and would never, under the influence of a panic, diminish the currency so much and so suddenly as greatly to distress a whole community, and would possess the means in his specie and business paper, to meet all exigencies without resort to his bond and mortgage debt, or to his public securities, both of which would stand apart as a safety fund for his bill holder.

If it were necessary to wind up the whole system, and abolish the banks, a single year would suffice to accomplish it, and replace their paper by specie to the amount of fourteen millions; a year of scarcity of money and low prices to be sure, but not of severe distress.

If it be true, as we believe, that fourteen millions of capital, and more than two-thirds of that permanently invested, can be made to sustain a currency adequate to all the wants of our populous and commercial states, a currency convertible to specie at pleasure, and exempt from frequent and excessive fluctuations; the inquiry may well be made, whether there are not defects, dangers and delusions, connected with a system which pretends to have absorbed already near twice that amount of capital, and clamorously demands much more, no portion of which is *permanently* invested, but all held, or pretended to be held, in a condition to redeem bank paper, if occasion should put it in requisition.

Not only this bank capital of twenty-five millions, but also the deposits of ten millions idle funds and the fourteen millions of bills receivable, for which bank paper has been exchanged, amounting together to forty-nine millions, pretend to stand ready to redeem at short notice, any portion of these fourteen millions, or rather, that portion which can require redemption, being the difference between the minimum and maximum circulation, say four millions. With resources apparently so ample, the call of commerce for a single million of metal produces a serious bank panic, and a sudden contraction of bank currency.

This debt of forty-nine millions, which ought, if made upon banking principles, to produce spontaneously for the redemption of paper half a million per day, requires a severe and protracted pressure upon it to produce two or three millions for an emergency; and if forced to yield four or five millions, a sum equal to eight or ten per cent. of the debt, such pressure is attended with wide spread ruin and general consternation.

To reconcile such apparent power with such impotent and feeble results, we are forced to the conclusion, that many of the rules which ought to govern good banking, are disregarded. That much of the stock, though apparently paid for is withdrawn, and the holders' paper substituted therefor, in the same or some other bank. That much of the capital is loaned for long winded operations, as farming, ship-building, long voyages, the erection of manufactories, mills, &c. That much of the discounted paper professing to be commercial, and representing commodities which can be converted to currency for the payment of the bill, is not strictly such, and that such paper, although paid at maturity, is indebted to some of the many expedients familiar to commercial operations for such payment—expedients, however, which demand new loans, equal in amount to those cancelled, and thus the merchant continues to be debtor to the bank, not for a small and temporary loan in anticipation of his bills receivable, but for a large proportion of his capital; which, though borrowed temporarily, is retained permanently, and cannot be surrendered in times of pressure without great sacrifice, if not ruin.

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The committee cannot command the time or space necessary to explain intelligibly the evils resulting from the combination of so much capital with our currency, compelling them to share the fate of each other, and vainly attempting to subject them to the same laws, by which means both perform their office imperfectly; the capital but half subserves the interests of the borrower, as he holds it by a tenure so precarious as the wants and necessities of the banker—wants and necessities which are sure to press both banker and borrower at the same time, while currency is contracting and expanding by an artificial impulse, which greatly impairs its utility.

While we entertain no doubt of the solvency of our banks and their ultimate ability to redeem their currency, pay their depositors, and restore their capitals to the stockholders, except in the event of a commercial convulsion, yet all this is deemed secondary in importance to their duty of furnishing a uniform and stable currency. It is a law applicable to currency, that it increases in value as it decreases in volume, and decreases in value as it increases in volume. Thus, 10 millions of currency would exchange a given amount of commodities as effectually as 14 millions, with this difference; the contracted standard of 10 millions would give to them a value of about 72 millions, while the 14 millions would expand the same commodities to 100 millions: and if this was the annual amount of our exchanges, a variation of 4 millions in our currency, the difference between the extremes of a contracted or an expanded circulation, would raise or depress their value by 28 millions in one year, a sum equal to twice the amount of our currency; and when we estimate the mischiefs produced by applying a fluctuating and unstable currency to such an amount of exchanges; its gambling influence unsettling prices, enriching some, impoverishing others, and embarrassing all, by baffling and mocking their calculations, the consideration that our safety fund of a few hundred thousand dollars will protect us against an occasional loss in the currency of a broken bank, loses all its importance. Such failure and loss would be abundantly compensated, if they would teach caution to the public, and skill and prudence to the banker.

Notwithstanding bank charters have absorbed so much of our active capital, to the prejudice of long winded and permanent operations, stimulating trade and commerce almost to intoxication; notwithstanding that many villages of the interior are laid under contribution for their last dollar to gorge with capital and stimulate to excess the favored few having bank charters, still the mania for charters threatens to swallow all our floating capital, leaving no other resource than banks for borrowers.

It is believed that restraining banks in their discount to 6 per cent. would tend to improve the character of their debt, by inducing them to reject long loans and collect more rigidly. And that restraining them in their issues to the amount of their capitals, (instead of twice the amount), would check the efforts of a part of the small country banks to extend their circulation; banks which with limited means for redemption, and emboldened by their high credit derived from the safety fund, push their operations beyond the limit of prudence, and fill up by their circulation, the vacuum, if any, left by their more cautious competitors. Such restraint might reduce the circulation of the country banks from eight millions, its present amount, to seven millions, or from about the amount of their aggregate capitals to seven-eighths of that amount, counteracting the general tendency to overload currency.

Both restraints would tend, in some small degree, to check the flow of capital into the bank channel.

### *Of capital.*

In discussing the subject of capital, the laws which govern it, and the interest or price paid for its use, the committee will study to avoid all allusion to currency; and when they speak of interest they are to be understood as meaning the *hire of capital*, by which means they hope to relieve these subjects from the perplexing obscurity which has enveloped them when capital and currency were confounded.

Capital does not expand and contract with the same elasticity, or ebb and flow with the same rapidity, as the currency by which it is measured; nor does it obey the same laws. It is the fruit of industry, skill and economy. Under a good government, and in a community well regulated, its accumulation is constant and rapid, and the largest accumulations are found in the oldest countries thus governed and thus regulated. Its constant tendency is to flow off from these abundant and swollen fountains, and in the direction which promises the best return with the greatest security, whether that return be yielded in the shape of interest for loans, dividends on investments, commercial and manufacturing enterprises, or land speculations.

The same law which diffuses capital from fountain to rill, from an old to a new country, also requires at all points its perpetual and ceaseless change of investment, as one subject allures with more force than another; and thus do the various branches of industry approach and maintain their level.

It is believed that of the eight hundred millions of capital belonging to and in the possession of the citizens of our state, at least four hundred millions of dollars are lent and borrowed at from four to fourteen per cent. interest per annum. When it is considered that the bond and mortgage debt of the city of New York exceeds forty millions; that the debt on personal security must be still larger; that our bank loans of capital, excluding currency, are between thirty and forty millions; add to these large items the debts due the foreign land-holders, as the Holland company, the Pulteney, the Parish, the Chaumont and the Hornby estates, with many others of less magnitude; the three millions loaned by the Life Insurance and Trust company, and an equal amount by the savings' banks; the Connecticut school fund debt, and the vast amount of foreign and domestic debt due to and from individuals; this estimate will not be deemed an exaggeration.

With a debt so vast, being equal in amount to twenty-eight times our currency, and with such a propensity in our citizens to borrow and lend, it may be well to inquire whether its influence is salutary or pernicious, whether it should be tolerated or prohibited, encouraged or restrained; and to the committee it is consoling to believe, that this debt, vast as it is, produces public benefits proportioned to its magnitude.

The committee will assume that capital cannot be too abundant in any country, or too widely diffused, provided that diffusion is gradual. To deny this proposition would be to assert that we had cultivated and stocked too many farms, had built too many houses, mills, manufactories, and ships, or had accumulated too much merchandise.

### *Hire or interest of capital.*

Capital cannot be made to yield capital again, without combining with it skill and labor, nor can skill and labor be made to yield capital, (beyond the hireling or servant's pay), without combining capital with them. Now it so happens in the wise ordering of nature, that the ability of the possessor to apply this labor and skill to the management of his capital, diminishes in the ratio of the increase of such capital, and that from two causes; first, from the increased labor of managing such accumulated capital, and second, from the decay of physical and mental powers by the approach of age; hence the man who has acquired wealth, finds *his* interest in lending or in investing it, to be loaned or managed by corporations. While every man in our community, where the field for enterprise is broad and ample, whose education, talents, occupation and skill fit him for a station above the servant or day laborer, being destitute of means, finds *his* interest also in borrowing, to the end that he may turn his talents and acquirements to profitable account. Even the mechanic, without a patrimony, could not avail himself of years of indented service, unless he could borrow a shop and tools; nor the students of law and medicine of their mental acquirements, without their borrowed libraries: or the indigent farmer or merchant of their skill, without the borrowed farm or merchandise. Both parties therefore, find a mutual interest impelling them to lend and borrow; nor does the interest of the parties conflict with that of the public, as these loans diffuse and augment capital, affording aliment for labor, and yielding to humble industry an ample reward.

It is believed all these objects are best promoted, and capital most widely diffused, by loaning it in minute portions; thus combining the greatest amount of labor and skill with a given amount of capital, yielding in the aggregate the largest amount of revenue.

To illustrate: If a capitalist possessing $100,000, should invest this sum in the purchase and culture of one hundred farms, worth each $1,000, these hundred farms could have the benefit of the superintending skill and labor of one man only, and it cannot be doubted that such an investment would be wholly unproductive of revenue: whereas these hundred farms loaned to one hundred young, efficient and skilful farmers, would have the benefit of the superintending skill and labor of one hundred men, yielding to the lender $70 each, or an aggregate of $7,000 and would yield to the borrowers the support of one hundred families, and a gradually increasing surplus, until the whole debt of $100,000 should be ultimately extinguished and the farms doubled or trebled in value; such is the rapid process of accumulation in a country like ours, by the judicious combination of capital and labor.*

The capitalist undertaking to manage a hundred ships, mills or stores, could not prosper better than the farming experiment. Although capital thus divided into minute parcels yields the largest return, and can afford to pay the highest rate of interest, yet it may be advantageously borrowed in larger sums, and for more extended and costly operations, as manufacturing, navigation, &c. and the capitalist is content in such cases with a lower rate of interest, as he is saved the trouble of multiplying his transactions, and of re-investing so frequently. Capital, therefore, when loaned, has its wholesale and retail price or rate of interest.

### *Usury.*

The committee being satisfied of the utility of borrowing and lending, it remains to inquire what regulations and restraints

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* The committee are aware that our frontier settlements afford exceptions to this rule so numerous, as to furnish a plausible argument against our present rate of interest. But these settlements were made during a period of five or six years succeeding the late war, the flood of emigration breaking away at that time, which had been restrained for a quarter of a century by a prosperous foreign trade, the temporary prosperity of manufactures on the sea board, and the hostile and unsettled condition of the frontiers. When this settlement was making, our currency was exceedingly degraded by a long suspension of specie payments, baffling the skill and deranging the contracts of landlord and settler. One company alone have since abated near a million of dollars in principal, besides a large amount of interest, to conform those contracts to a regulated standard currency, and also to the depressed legal price of United States lands.

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the law should impose upon these contracts. The most essential part of the contract, that of fixing the *value* of the capital borrowed, or the sum on which interest is to be charged, when that capital does not undergo the process of transmutation to currency, but passes direct from lender to borrower, has never been deemed a subject proper for regulation by legislative enactment or supervision; thus the price or value of the farm, the cotton mill, or the ship, is left to the exercise of individual discretion and skill, and even the forbearance or interest, technically called rent or charter, may be settled by the parties in all cases where the *same* farm, cotton mill or ship, are to be returned, no matter how remote the period of restoration; but when the *value* of the farm, cotton mill or ship, is to be restored in their several products, agricultural, manufactured or commercial, and these products are to be converted to currency, then legislation has decided that the case comes within its province, and the interest, hire, charter or forbearance, is no longer a fit subject for the exercise of individual skill and agreement. Nor is this all, or the worst of all. Legislation has also decided, (if the agency of currency happens to be invoked), that all lending and borrowing shall conform to one standard, and that an arbitrary one, which yields to no exigency, a standard at or below which all must lend and borrow, without regard to abundance or scarcity of capital, amount of loan, nature of security, prospect of gain or hazard of loss.

And yet this legal standard, which professes to regulate interest so rigidly, performs almost any other office than that of regulating. When the market rate of interest is below the legal rate, the law has no regulating force, capital is then loaned at the market rate, the law being a dead letter. When the market rate at one place is below, and at another above the legal rate—for instance six per cent. on Long Island and eight per cent. at Chautauque, the legal rate of seven per cent. guarded by penalties, instead of equalizing the interest of the two places, as it professes to do, would tend with all its force to increase the disparity, by checking the flow of capital from the cheap to the dear region, depressing the market rate to five per cent. on Long Island, and raising it to nine per cent. in Chautauque, *deranging* instead of *regulating*. When the market rate of interest at retail, or for sums of small amount, exceeds seven per cent. instead of regulating for this valuable class of borrowers, the law denies to them the use of capital, and in effect forbids their borrowing at all, while it secures to the large borrower and the best security the monopoly of borrowing.

Another class of borrowers, though not regulated by legal enactments, are greatly embarrassed and oppressed by them. We allude to the class whose moral integrity forbids the suspicion that they will avail themselves of the penalties of a law, the proffered protection of which they are willing to waive; and it is creditable to our community that this class is numerous, comprising, with many others, almost the entire mercantile population; but as the class of lenders are far less numerous than the borrowers, and many of them are deterred by moral restraint, and others by suspicion and timidity, from making loans at high interest, this large class of honourable borrowers are consigned to the mercy of a few lenders, and those the most enterprising and least scrupulous of their order, while their more scrupulous competitors retire from the field to avail themselves of the thousand doors thrown wide open for the profitable investment of their capital, by means of a temporary scarcity thus aggravated by their own change of pursuit. Even the lender himself, whose conscience would not tolerate a ten per cent. loan, may, with a clear conscience, and under the protection of law, purchase the estate of the person to whom he had refused the loan, at a price which will yield twenty per cent. profit, and at a sale rendered necessary perhaps by such refusal.

It is notorious that the market rate of interest is often, and at places almost always below the legal standard, as at present regulated. Such standard, therefore, only operates where the market rate exceeds this limit, and then it works positive mischief by checking an influx of capital, which a higher market would lure from abroad; locking up at home by investment what had been loaned, denying to the borrower his accustomed supply, expelling capital and turning it into new channels, raising the market price extravagantly, and securing to a few the monopoly of lending at such exaggerated rates, deranging industry, and forcing our citizens to a frequent change of pursuit; and all this without, as we believe, one solitary benefit to atone for so much mischief.

When the crops of a country fail, famine is prevented by a rise in the price of bread stuffs, which rise operates beneficially two ways: it allures a supply from foreign countries, and it also induces each one to curtail his consumption as much as possible. What would be thought, in this age, of a law that should counteract this salutary rule of commerce, and from a mistaken kindness to the poor, prevent a rise in the price of bread-stuffs? All laws restraining the price or hire of capital operate like such a law, with this difference, that the famine would fall indiscriminately upon all who did not possess bread, although they could command the means to buy at the cheap legal rate, but in the dearth produced by the attempt to make capital cheap, the whole calamity falls upon the borrower, the unfortunate victim of legislative *care*.

Our statute fixing interest forbids us, under penalties, to invite capital by the allurement of high prices to our market, and forces us to contract our business by bankruptcy and ruin to the quantity of capital which under, or in spite of the legal standard, can be had. It is precisely as if a famished city should kill its inhabitants, till the numbers left were proportioned to the quantity of food on hand.

The committee are aware that improvident and ruinous loans are contracted, and would continue to be with or without legal restraint; but so far from requiring legislative interposition, these losses are the only legitimate and effectual restraints upon improvident borrowing.

Capital is borrowed solely with a view to gain; a pledge is required by the lender equivalent to the loan, which pledge is surrendered if the capital is dissipated. Here then are two motives of equal force to guide and control the borrower—the hope of gain and the fear of loss. If the hope of gain be strong, the fear of loss is equally so: if the desire for acquisition be inordinate, the fear of loss will be equally controlling.

With hopes and fears thus balanced, experience and observation alone are required to guide the judgment, and nothing can be more impressive and admonitory than to witness a neighbor struggling for years, and sinking at last under a load of debt charged with a high rate of interest; all who witnessed would avoid the danger as they value their former acquisitions or their future hopes.

Losses are incident to all pursuits having gain for their object, and they admonish to prudence and caution. Ship building ceases when low freights give warning to the merchant that navigation has been pushed to excess—importations are arrested by a losing market—so money borrowing ceases when it results in loss.

The committee have come to the conclusion that the best interest of the state will be advanced.

1st. In promoting the free circulation of foreign and domestic capital over our state, by giving stability and security to its investment, and by extending legislative facilities to associations who borrow and lend capital unconnected with currency—as savings banks, trust companies, &c.

2d. By restraining banks in their circulation to the amount of their capitals, and by restraining them in their discounts to 6 per cent.

3d. By repealing the usury penalties, except in relation to banks, and fixing the legal rate of interest 6 per cent.

If, however, the usury penalties should not be repealed, we would object to reducing the limit of interest from 7 per cent. which seldom presses upon the market rate, except in the new parts of our state, and fixing that limit at 6 per cent. which in many parts of our state, and at all times, would press upon the market rate, aggravating the evils incident to the present standard of interest. If these amendments generally should not prevail, then we would respectfully recommend that the further progress of the bill under consideration be arrested, in conformity with the prayer of all the memorials addressed to the senate.

## REMARKS OF MR. DAVIS, OF MASSACHUSETTS,

*In the house of representatives, February, 1833, on Mr. Root's amendment to Mr. Beardsley's amendment to the part of the bill which relates to wool.*

Mr. Speaker, (said Mr. *Davis*), it is worth our while, before we vote on this measure—as it is the first, and will be followed by others of like character—to understand what principles we act upon. The amendment proposes to reduce the duty on wool, in three years to 25 per cent. ad valorem; and the amendment to the amendment proposes to leave that duty at 30 per cent. He should, he thought, vote for both, not because he approved of them, or considered them as suitable acts of legislation for this government to adopt, but because he considered them more favorable to the great agricultural interests of the country than the bill; and this was the only reason why he should give them his support, if he gave it at all.

He would, while up, take the occasion to say that probably few members on the floor felt more anxious than he did to see this all-stirring subject settled—to see national harmony restored, and the jarring opinions, if possible, reconciled. He had from the outset entertained this sentiment, and while all around him seemed to concur in it, and seemed anxious to allay excitement, and to cherish better feeling, it gave him pain to observe that the house, after more than four weeks of intense labor, had approximated little towards it; indeed, he said, the signs of the times were such that he despaired of any reasonable adjustment.

He saw the bill of the committee of ways and means execrated throughout the country as a measure unsuitable to be the basis of future revenue. He used no harsher language than facts justified, for it gives satisfaction no where in the portions of the union attached to the protection of our industry; and he was equally confident it was reprobated where he supposed it was designed to give contentment. We had now had it under consideration a month, had endeavored to amend, alter, adjust and bring it into an acceptable form. We had labored early and late, and what had it all come to? Would any one say we are now apparently any nearer to the object of desire than when we commenced? Every motion, every proposition to modify this bill, unsatisfactory as its provisions are, has been steadily and resolutely resisted by the south, and we have this painful evidence that no better propositions, no terms more just and beneficial to the country, are to be offered to us. The bill, therefore, and nothing else, has the approbation of those opposed to the tariff. We have, therefore, he observed, no alternative left,

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but to resist a measure so unjust and injurious; and this, for one, he should do to the last, if it were not improved.

The *Speaker*. The gentleman from Massachusetts must confine his remarks to the amendment.

Mr. D. inquired if it was not in order for him to argue that the proposed decrease of duty was impolitic and bad legislation?

The speaker assented to this.

Mr. D. observed, he believed he had confined himself within the strictest rules of order, and should continue so to do. He had spoken at large, on a preceding day, of the injurious policy of reducing wages, and of the pernicious tendency it had to make a poor, ignorant and miserable population, like that of Europe. He had said that duties could not be reduced on protected articles without producing this effect to an extent proportioned to the reduction; and this would not reach manufacturers alone, but all laborers in the country. He had therefore said, a question of reduction was one of serious import and should be well considered. And he would now inquire if the avowed object of this bill was not a reduction of revenue because there would be a surplus in the treasury? He did not concur with the gentleman from New York, (Mr. *Beardsley*), that we had any evidence before us of such an excess of revenue. The secretary of the treasury proved to us last summer, if the bill then passed, which did become a law, that it would raise only a revenue of $12,000,000; but he now alleges, only a few months having elapsed, that it will produce $18,000,000. It is not easy to understand his reasons for this change of estimates; nor is it easy to settle which opinion is entitled to most consideration. If it will raise no more than $12,000,000, the government will need that sum, and there is no occasion for further reduction. The secretary, however, does not pretend that even if the sum of $18,000,000 is raised, that there would be any surplus this year, for the whole will be absorbed by the demands of the government. No excess can accrue, therefore, before the close of the year 1834, and it is by his statement problematical whether there will be any then. Why should we be pressed so urgently on this subject *now*, as if it was a matter of certainty, when it is only a contingent? Why should we be forced to go forward blindfold—to grope along a path which the secretary himself seems not able to point out with any certain knowledge? Yet this reduction is alleged to be the main object of the bill, and we are urged to act here as if we knew that the laws would place in the treasury six millions of surplus revenue in 1834; and this is the reason pressed unceasingly upon us to pass the bill.

Such matters, he said, as came properly before us he was willing to consider. The public debt was nearly paid off, and we shall consequently have less occasion for money—we must therefore raise less than we hitherto have done, but we had not been unmindful of this event, and had prepared for it by lessening the revenue ten or twelve millions in a short period. He admitted that the argument against an accumulating surplus in the treasury was sound, and did not deny that the government must be limited in its income to its necessary expenditures, but the enemies of American industry insist on lessening the protection of the laborer, on the ground of a surplus. He desired assurance of the existence of such surplus—before he acted on this question, he wished to be made reasonably certain that hostility to our industry did not outrun all other considerations.

In voting, he said he should keep these considerations steadily in view, and would reiterate that he should support no bill that abandoned the principle of protection. In reducing the revenue, let us, he said, understand what we do, and upon what principles we act. It seems to be assumed here, that the only mode of reducing revenue, is to reduce all duties on imports equally. He protested against this, as a false, unsound theory, designed to destroy by its insidious action, the protective doctrine, without accomplishing the object it professed to have in view. The bill before us, which is recommended because it is alleged to be necessary to reduce revenue, contains items that by this process will increase, instead of diminishing revenue. Take, for example, ardent spirits—the duty on which is perhaps one hundred and fifty per cent. and suppose this duty reduced to seventy five per cent. will not the importations which are now restrained by the very high duty be so increased as to increase the revenue? The committee of ways and means, he said he believed, admitted that this would be the result. The same may be said of other articles.

Mr. *Wilde* rose and inquired if it was in order to discuss the whole subject?

The *speaker* said no, the argument must be confined to the amendment.

Mr. *Davis* desired to be informed if it was not in order to shew the impolicy of reducing duties on wool in the manner proposed.

The *speaker* replied, yes. There was a cry from different quarters, "go on—go on." The argument he had used, was to that point. The general proposition is to reduce the revenue, and to accomplish this object the amendment proposes to reduce the duty on wool. To this he, in the form in which it stood, was opposed, and his argument he considered direct and legitimate for this purpose. The speaker nodded assent. Certain and fixed principles, he said, ought to govern us in this and all votes that we give on this and all other propositions for reduction—and at the head should stand constantly the principle of protecting American industry—no measure should meet with countenance that aims to abolish this.

The gentleman from New York, (Mr. *Beardsley*), said, the only wise way to reduce is to do it gradually. With that gentleman, he said, he concurred thus far—but we ought to look as well at what we had done as to what we were called on to do. In July last, congress considered this matter with the most anxious and deliberate attention, and lowered the duty greatly, and this should not escape observation, as any attempt to descend further may be attended with great peril, and may be followed by grievous calamity. Notwithstanding this, he observed, greater reductions were demanded to compose the irritated state of feeling which is alleged to exist in the country, and how can it be done? If done at all, it can be accomplished in but one way, without violence to private rights and great private suffering. It must be gradual—very gradual—and a long time, and arranged with great judgement and discretion. There is an immense interest at stake, and the prosperity—nay, almost the existence of a vast population involved in it, and it should be approached with caution, and changes affecting it made with sound judgement. What, he said, he would repeat, do you propose to do? Last July a great change was made, but the law goes into operation in March next; that change which was a reduction of twenty per cent. of the present duties on wool is still future, and will congress add to it the present proposed reduction of fifteen per cent. of the duties of 1832? Can the country bear this? for it is to be followed up on woollens and other articles. Will the wool grower be satisfied to have his property made thus the sport of this body? But this is not all, for this reduction is to continue for three years after the same rate. This is not gradual, but rapid—very rapid—and full of hazard. The time is not long enough, especially for men in debt. The descent should be slow; the annual reduction so small, that by increased skill and economy, men may not only exert themselves, but may succeed in meeting it. If, he said, you descend sixteen or twenty per cent. in a year, they will sit down in despair, being unable to grapple with it. Men should have time to prepare for changes in their business. This proposition of the gentleman from New York goes by long strides; it is very hurried; and though, said he, the principle is the right one, yet the details are objectionable.

He said he had occupied the attention of the house much longer than he intended when he rose. He would not, in conclusion, say the wool growers or the manufacturers would bear any change from the bill of '32, without hard pressure and suffering. He believed they would not, but hoped they would willingly make great sacrifices for repose. They were wearied with this endless warfare. And believing such to be their feelings, he should, for one, take the responsibility of voting a judicious and gradual reduction, if the discontented would sit down and be at peace under it; otherwise he would not lift his finger to carry any measure through. He rose to express these general views, that his course on this, and the measures which will succeed, might be understood. He did not propose, at present, to introduce any measure, but hoped, if the south desired, as they had often expressed themselves, to save our manufactures, and at the same time to compose all controversy, that some gentleman from that quarter would offer something beside this bill, which no man in favor of protection can support.

## TREASURY CONSTRUCTIONS OF THE TARIFF.

CIRCULAR TO OFFICERS OF THE CUSTOMS.

*Treasury department, April 20th, 1833.*

The 7th section of the act of the 14th July, 1832, entitled "an act to alter and amend the several acts imposing duties on imports," provides, "that in all cases where the duty which *now* is, or *hereafter may be* imposed on any goods, wares or merchandise, imported into the United States, shall, by law, be regulated, or be directed to be estimated or levied upon the value of the square yard, *or of any other quantity or parcel thereof;* and in all cases where there is *or shall be imposed any ad valorem rate of duty* on any goods, wares or merchandise, imported into the United States, it shall be the duty of the collector, within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated and ascertained, and the number of such yards, parcels or quantities, and such actual value of every of them as the case may require; and it shall, in every case, be the duty of the appraisers of the United States and every of them, and every other person who shall act as such appraiser, by all the reasonable ways or means in his or their power, to ascertain, estimate and appraise the true and actual value, any invoice or affidavit thereto to the contrary notwithstanding, of the said goods, wares and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual value of every of them as the case may require," &c. &c.

The 9th section of the same act provides, "that it shall be the duty of the secretary of the treasury, under the direction of the president of the United States, from time to time, to establish such rules and regulations, not inconsistent with the laws of the United States, as the president of the United States shall think proper, to secure a just, faithful, and impartial appraisal of all goods, wares and merchandise, as aforesaid, imported into the United States, and just and proper entries of such actual value thereof, and of the square yards, parcels or other quantities, as the case may require, and of such actual value of

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every of them; and it shall be the duty of the secretary of the treasury to report all such rules and regulations, with the reasons therefor, to the then next session of congress."

The 1st section of the act of the 2d March, 1833, entitled "an act to modify the act of the 14th July, one thousand eight hundred and thirty two, and all other acts imposing duties on imports," declares "that from and after the 31st day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports by the act of the 14th day of July, 1832, entitled 'an act to alter and amend the several acts imposing duties on imports,' or by any other act, shall exceed twenty per centum on the value thereof, one-tenth part of such excess shall be deducted," &c.

It is believed that by this provision, and as necessary to the execution of the law, all duties imposed by any act of congress, upon foreign imports, are substantially regulated by, and are directed to be estimated and levied upon, the value of the square yard, where that is the form, and upon some other quantity or parcel in cases where the duty is not imposed by the square yard, and that consequently the authority conferred by the 9th section aforesaid, must necessarily be exercised, for the more effectual execution of the said act of the 2d March, 1833.

The following rules and regulations are therefore established, under the direction of the president of the United States, for the purpose of securing a just, faithful and impartial appraisal of all goods, wares and merchandise imported into the United States from and after the 31st December next, and for the just and proper entries of the actual value thereof, and of the square yards, parcels or other quantities, as the case may require.

In all cases of ad valorem duties under the act of the 14th July, 1832, or any other act, the regulations at present authorised by law, for ascertaining the actual value, will remain unaltered. With respect to those articles liable to a specific duty, or other duty than that of ad valorem, the actual value thereof at the time purchased, and place from which the same shall have been imported into the United States or in the country wherein the same may have been originally manufactured or produced as the case may be, will be appraised, estimated and ascertained, and the number of yards, or square yards, tons, pounds, gallons, bushels or other parcels or quantities, and such actual value of any of them as the case may require, and just and proper entries thereof be made, in the same manner and according to the same regulations, as are required by the said act of the 14th July, 1832, and other acts now in force in regard to articles paying ad valorem duty; and in all cases the same verification of invoices and other proofs will be required and produced as are at present authorised in respect to articles liable by previous acts to an ad valorem duty.

The value of all such articles being thus ascertained, the proportion which the duty now paid by such articles bears to the said value, will be calculated, and from the excess thereof beyond twenty per centum: that is to say, where such proportion shall be equal to fifty per centum, there shall be deducted ten per centum upon thirty per centum, or three dollars; and from after the 31st December, 1835, the like deduction shall be made from the same excess, or ten per centum upon thirty per centum, being three dollars more; and in the same manner, at the several periods specified in the said act of the 2d March, 1833, until the 31st of December, 1832, from and after which, one-half of the residue of such excess will be deducted, and the other half thereof from and after the 30th of June, 1842.

From the proportion of the duty thus ascertained upon the wines of France, in addition to the said ten per centum, there will also be deducted such further per centum as will be necessary to preserve the discrimination in favor of such wines, stipulated in the convention between the United States and his majesty the king of the French, concluded at Paris on the 4th of July, 1831, and authorised by law.

It may be proper to observe that all manufactures of cotton, or of which cotton shall be a component part, will be appraised, estimated and ascertained, and the number of yards, square yards, or otherwise, parcel or quantities, and of such actual value thereof as the case may require, will be ascertained, and just and proper entries thereof made, according to the foregoing regulations.

It is believed that the value of foreign imports referred to in the act of the 2d of March, 1833, is not the assumed value on which the duty upon all manufactures of cotton, or of which cotton shall be a component part, is directed to be estimated under the act of the 14th of July, 1832—viz: of *thirty cents*, if not dyed, colored, printed or stained, though valued at *less* than thirty cents; and of *thirty-five cents* if dyed, colored, painted or stained, though valued at *less* than thirty-five cents the square yard. This value is merely artificial, and assumed by previous laws as a means of augmenting the ad valorem rate of duty imposed, for the purpose of protection, upon such articles; and the amount of the duty, although ascertained by the adoption of the minimum principle, is the proportion which the sum collected by the government bears to the actual value of the article: and, therefore, a quantity of such cottons, costing in fact eighty dollars, but valued for the purposes of the act of the 14th of July, 1832, at two hundred and forty dollars, really pays a duty of 75 per centum upon the true value thereof.

The act of the 2d of March, 1833, however, proceeds upon a different principle, and aims at a different purpose. It obviously intends to make an equal deduction from the duty on all foreign imports, and ultimately to reduce it to a rate not exceeding twenty per centum upon the real, and not an assumed, value of the articles imported. This last purpose is explicitly stated in the last clause of the 5th section, which provides "that all imports on which the 1st section of this act may operate, and all articles now admitted to entry from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty two, from and after that day, may be admitted to entry, subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law." And the first section, which has been already referred to, expressly provides for the deduction, after the 30th of June, 1842, of all excess of foreign imports above twenty per centum on the value thereof, which shall have been imposed by previous laws, and to which they may then be subject.

The object of thus establishing a general ad valorem duty on foreign imports, and of equalizing the rate can only be attained by calculating the duty on the real, instead of the assumed value. This purpose is more particularly manifest from the last clause of the third section, which provides that from and after the 30th of June, 1842, "the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law." Each of these clauses relates to the actual value of the foreign import, and they differ only in estimating that value; previously to the 30th of June, 1842, the value in the foreign country being taken, and after that time, the value at the port of entry. The object of neither can be accomplished at any period, by adhering to the nominal value assumed by previous acts, or to the rate of ad valorem founded upon such assumption.

In all importations of manufactures of cotton, therefore, or of which cotton shall be a component part, after the 31st of December, 1833, the value thereof will be ascertained in the manner aforesaid; and from the amount which the rate of duty under the act of the 14th of July, 1832, or any other act, shall exceed twenty per centum on such value, the deduction required by the act of the 2d of March, 1833, will be made according to the foregoing rules.

Though these rules and regulations will not go into effect until the 1st of January next, they have been thus early adopted and made public for the purpose of giving timely notice to the manufacturers and merchants, and all others concerned; and especially as to the verification, by the consuls abroad, of the invoices of importations to be made after that time.

LOUIS McLANE, *secretary of the treasury.*

## CONFLAGRATION OF THE TREASURY BUILDINGS.

*Treasury department, April 12th, 1833.*

In the late conflagration of the treasury building, nearly all the correspondence of the secretary of the treasury, from the establishment of the department to the 31st March, 1833, was destroyed, including, as well the original letters and communications addressed to the secretary of the treasury, as the records of the letters and communications written by him. With a view to repair the loss, as far as may be practicable, all officers of the United States, are requested to cause copies to be prepared, and authenticated by them, of any letters (excepting those hereinafter alluded to) which they may at any time have written to, or received from, the secretary of the treasury; and all those who have been in office, and other individuals throughout the United States, and elsewhere, are invited to do the same. That this correspondence may be arranged into appropriate books, it is requested that it be copied on folio foolscap paper, with a sufficient margin on all sides to admit of binding, and that no more than one letter be contained on a leaf. It is also requested, that the copies be written in a plain and distinct or engrossing hand. Where the original letter can be spared, it would be preferred. The reasonable expense incurred in copying the papers now requested, not exceeding the rate of ten cents for every hundred words, will be defrayed by the department.

The correspondance which has been saved, and of which, therefore, no copies are desired, are the records of the letters written by the secretary of the treasury to presidents and cashiers of banks, from the 1st October, 1819, to the 20th February, 1833; all the correspondance relating to revolutionary claims under the act of 15th May, 1828, and to claims of Virginia officers to half pay, under the act of 5th July, 1832; and to applicants for the benefits of the acts of the 2d March, 1831, and 14th July, 1832, for the relief of certain insolvent debtors of the United States. Copies of some circular letters and instructions, written by the secretary have also been preserved: and it is requested that, before a copy be made of any *circular* letter or instruction, written by the secretary of the treasury, the date and object of the circular be first stated to the department, and its wishes on the subject ascertained.

LOUIS McLANE, *secretary of the treasury.*

PRICES CURRENT—*Baltimore, May 3.* Flour, best white wheat, 6 75@7 25; other from 5 2@5 75—Howard street 5 25@5 37½. Best red wheat 1 15@1 20—white 1 30@1 35; corn 65@66, rye 74, oats 37½@40; clover seed 8 00. Whiskey, 1st proof, 29½@30½. Wool—washed, from 25@50; unwashed, from 16@30. Beef on the hoof 5 50@5 25. Oak wood 3 00@3 25; pine 2 25. [*American Farmer.*

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 11—VOL. VIII. BALTIMORE, MAY 11, 1833. [VOL. XLIV. WHOLE No. 1,129.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.


☞A violent assault was committed on the person of the president of the United States, at Alexandria, on Monday last, by Mr. Randolph, lately dismissed from the navy—the particulars of which will be found in subsequent pages. We have no comments to make on this outrage. It requires none. It will, as it ought, receive the unqualified reprobation of every good citizen—whether the offence be considered with respect to the public office held by the assailed, or his advanced age and long and distinguished services.

We have inserted, (as was intended before an account of the assault reached us), Mr. Randolph's address to the public, setting forth his case—and added an article, on the same subject, which has since appeared in the "Globe:" but the merits of the matters stated cannot be allowed to have any sort of influence either to excuse or aggravate the offence of Mr. Randolph—it admits of no excuse, needs no aggravation.

☞We present a collection of law cases, briefly deciding certain important points concerning matters of *every-day interest* to the public, and such as every-body ought to be well acquainted with.

☞Under the head of "Foreign Articles" we have inserted an account of the passage of the "Irish disturbances bill," and certain interesting views of the origin and prospects of negro slavery in the British West Indies. If the government shall carry-out its plans concerning the slaves, a compensation to the owners of them cannot be avoided without committing a flagrant act of injustice—for it was the [British] *government* which established the right of property in one man over the person of his fellow being, in the British West Indies, &c. On the policy of the project, and concerning its effects—there is much room for discussion.

☞We much desire to publish and record, Mr. Burges' able speech in the house of representatives, at the last session of congress, on the tariff—and especially because of its important statistics. Its length has heretofore prevented its insertion—but we expect soon to have room for it. It will not suffer by the delay, nor "perish in the using."

"YANKEE NOTIONS." We inserted an article in our last, stating that Mr. T. H. Perkins, of Boston, had *given* a property worth 30,000 dollars, as an asylum for the blind, on the condition that 50,000 dollars should be raised as a fund to support the institution—adding that Mr. J. P. Cushing had put down 5,000 of the 50,000,* and that others were expected to contribute large sums, &c. The ladies of Boston have "notions," as well as the gentlemen, and they got up a fair, at Faneuil Hall, on the 1st inst. of which we have a long and vivid account, but cannot make room for. The display of ladies, and of the work of their hands, seems to have been truly magnificent; and the result was—that the receipts amounted to about *ten thousand dollars*, in aid of the fund for the instruction and support of the blind. A blessing will attend such "notions;" and, though some have preferred strong objections to such *exhibitions of ladies*, and we certainly think that they ought not to be frequent—the objects accomplished powerfully plead in favor of them. And besides, they afford convenient opportunities for persons to contribute such sums as are best suited to the condition of their purse, or flow of their heart, without an apprehension of shame for a "mite put into the treasury;" or hope of applause for a gift bestowed. A gentleman, whose name is not stated, sent $300 to the fair, with orders to invest the money in a *pen-wiper!*

"MORE YANKEE NOTIONS." The quadrant, the idea of steam wagons, the practical application of steam-power in propelling boats, the cotton gin, the card making machine, and a *multitude* of other important and useful machines—are "Yankee notions." And the following, copied from a New York paper, adds another "notion" to the list:

It is we believe, generally understood, that in completing the manufacture of a single pin in the ordinary method twelve persons are employed in various branches; and Mr. Babbage in his treatise says that the lowest number employed is ten. We were this morning invited to examine a beautiful piece of mechanism made and patented by Dr. J. J. How, of this city, by which a pin is completed from the wire by a single turn of a crank. By this ingenious invention from forty to fifty pins are made each minute, and they are produced more perfect than those made in the ordinary way. Dr. How goes out with his machine to England in the packet ship Montreal, which is to sail on the 10th instant. He intends to take out a patent both in England and France. The machine was made at the manufactory of Messrs. Hoe & Co. Gold street, where it can be seen during this day.

INVENTIONS, &c. Judge Hinkle, of Hanover, Pa. has invented and obtained a patent for an apparatus, which he calls a "*steam generator and refiner*," and which from the certificates published, appears to be an important improvement in steam machinery. A distiller in Heidelberg township certificates that by means of the apparatus, he is able to procure in one hour from twelve to fifteen gallons of whiskey, while by the old process from six to eight gallons only were procured in the same time. Mr. Mumma, the proprietor of the steam mill near Hanover, says, that before the introduction of the apparatus, when the mill was in good order, 61½ bushels of grain could be ground in nine hours with a half a cord of wood; but that by means of the improvement, he can now grind 82 bushels in eight hours, with the same quantity of fuel. These are important advantages, and an invention capable of producing them, cannot fail to get into general use.

A watchmaker of the name of Buschman, living at Eisenberg, not far from Attemburg in Saxony, has contrived a piece of machinery, which without the assistance of steam, has been found strong enough to move a heavily laden wagon, placed in a fresh ploughed field, with the greatest ease, although sixteen horses could not stir it. The machine may be easily handled, and the vehicle moved by it most safely managed. The inventor has been offered 200,000 dollars for the secret, but as he had obtained patents from all the principal German governments, he has refused all offers.

[The above is called a "*wonderful* invention," and well it may be—whether on *paper*, or in fact.]

MASSACHUSETTS. A second fruitless attempt to elect a member of congress in Boston has failed. The votes were for Mr. Gray 1733, Mr. Lyman 1,138, Mr. Greene 776, Mr. Walker 521. So the first falls short of an election by 362 votes.

CONNECTICUT. No choice of governor and lieutenant governor having been made by the people at the last election, Henry W. Edwards has been elected governor, and Ebenezer Stoddard, lieutenant governor, by the legislature, as follows: for Mr. Edwards (Jackson) 147; John S. Peters (national republican) 70; blanks 10. The Jackson lieutenant governor was chosen by a larger majority.

NEW-YORK. The great fire in the night of the 30th ult. is thought to have dispossessed 300 families, and more than 1,000 persons of their homes, losing also the chief part of their effects, and generally of the poorer classes of society. On all the property lost, only 45,000 dollars were insured.

* At the latest account, only 15 of the 50 thousand remained to be raised; so there is no fear that Mr. Perkins' "notion" will be "nullified," which may shew lack of "chivalry" at Boston!



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PHILADELPHIA. It is well known that when Philadelphia was laid out, it was the design of its founder, Penn, that all the space between the west side of Front street and the Delaware river should be kept open for the benefit of air, and the preservation of the health of the future inhabitants of the city: but this ground has been closely built upon, having one narrow street passing from north to south (Water street) and many narrow lanes and alleys from thence to the wharves; and when an epidemic has prevailed, the loss of life in this part of Philadelphia was excessive—for persons of the worst classes of society are sometimes huddled together, in great numbers.

As the means of the city, by the bequests of Stephen Girard, are now very abundant, it is proposed to restore, at least in part, the original plan, and remove the buildings located on the east side of Front street between Mulberry and Vine. The buildings are not of great value. The distance proposed to be thus thrown open, is about one-eighth of a mile long.

It is also suggested, that laws will be passed to prevent the opening of other streets and alleys than are now laid down in the plat of the city—and that the front on the Schuylkill, on which vast improvements are making, shall be kept open, &c.

BALTIMORE. The new line between this city and Philadelphia, via the canal, commenced operations on Saturday last. The steamboat *Kentucky*, in the Chesapeake, and the *Ohio*, in the Delaware, are admired by all who have seen them. They have few equals, and no superiors.

BALTIMORE AND OHIO RAIL ROAD. We understand that certain negotiations entered into between this rail road company and the Chesapeake and Ohio canal company, have resulted in an arrangement by which the former work will proceed through the difficult passes of the Potomac to Harper's Ferry. We intend to give the particulars—for, whether mutually advantageous or otherwise, to the *companies*, the *public* is deeply interested in this matter.

The business on the road is mightily increasing—as the following from the Baltimore Gazette may serve to shew:

*Statement of the revenue of the Baltimore and Ohio rail road company, for the month of April,* 1833, *viz:*

| | |
|---|---|
| Revenue from passengers.................. | $7,415 27 |
| Do. do. tonnage—westwardly.......... | 7,550 37 |
| Do. do. tonnage—eastwardly*.......... | 5,054 61 |
| Total.................... | $20,023 25 |

VIRGINIA. The Whig gives us the following classification of the members of congress elect—all the returns being now in.

Messrs. Stevenson, Chinn, Beale, Fulton, McComas and Claiborne, "Jackson men."—6.

Messrs. Archer, Mason, Loyall and Lucas, "anti proclamation, but decided Jackson men."—4.

Mr. Wise—holds the right of secession, but is "eminently Jacksonian"—1.

Messrs. Gordon, Patton, Gholson, Randolph, Davenport and Taylor, "radical anti-proclamation men," and may be classed anti-administration—6.

Messrs Allen, Mercer, Moore and Wilson—"anti-Jacksonians"—4.

SALT. New and valuable springs have been discovered in Delaware county, New York, at about 150 feet beneath the surface of the earth. The water rises in the wells to within 9 or 10 feet of the surface.

WATER POWER. We recently mentioned the *creation*, or acquisition, of a great water-power, at Trenton, on the Delaware, and now notice a similar improvement of that hitherto neglected on the Passaic, also at the head of the sloop navigation, and only 11 miles from New York. It is called the "Dundee," one mile from Paterson—and supposed equal to "fifteen mill sites."

SHIP BUILDING. The manufacturing of ships is, at present, a great business in the United States, notwithstanding we have "gained" *the* West India trade, and lost the transportation of many bulky articles to that part of the world. Four first rate ships, and many smaller vessels, of superior qualities, are now building in Baltimore. The tariff has not yet ruined the "commerce" or navigation of the country.

GOLD. It is estimated by the superintendent of the United States mint, that one half of the gold found in this country, is coined at home; and that the amount of last year's production was a million and a quarter of dollars. This is estimated to be equal to one-sixth part of the entire quantity produced in Europe and America; and as the amount gathered by us increases annually, the proportion will be in all probability for some years extending in our favor.

[The gold business in the United States has then about the same value as the *button* manufacturing—perhaps rather less than more.]

GOLD LANDS. The capital prizes in the gold lottery, which have caused so many wishes and raised so many hopes, have at length come out, after having modestly kept in the back ground for a long time. The great prize, lot 1,052 12 1, was drawn by Alfred Allison, Greene county. The next greatest prize; lot 1,031 12 1, was drawn by Lewis Hays, of Henry county. We wish both of these fortunate drawers long life to enjoy their success. Fame has put the lot 1,052 12 1 at the high valuation of $100,000. [*Savannah Georgian.*

MR. MADISON. Extract from his message to both houses of congress, Dec. 5, 1810—

"I feel particular satisfaction in remarking that an interior view of our country, presents us with grateful proofs of its substantial and increasing prosperity. To a thriving agriculture, and the improvements related to it, is added a highly interesting extension of useful manufactures; the combined product of professional occupations, and of household industry. *Such, indeed, is the experience of economy, as well as of policy, in these substitutes for supplies heretofore obtained by foreign commerce, that, in a national view, the change is justly regarded, as of itself more than a recompense for those privations and losses resulting from foreign injustice, which furnished the general impulse required for its accomplishment.* How far it may be expedient to guard the infancy of this improvement, in the distribution of labor, by regulations of the commercial tariff, is a subject which cannot fail to suggest itself to your patriotic reflections.

"It will rest with the consideration of congress, also, whether a provident, as well as fair encouragement, would not be given to our navigation, by such regulations as will place it on a level of competition with foreign vessels, particularly in transporting the important and bulky productions of our own soil. The failure of equality and reciprocity, in the existing regulations on this subject, operates, in our ports, as a premium to foreign competitors; and the inconvenience must increase, as these may be multiplied, under more favorable circumstances, by the more than countervailing encouragements, now given them, by the laws of their respective countries."

MR. GALLATIN. Extracts from his report to the house of representatives, (pursuant to a resolution) on the subject of manufactures, April 17, 1810.

"From that imperfect sketch of American manufactures, it may with certainty be inferred that their annual product exceeds one hundred and twenty millions of dollars. *And it is not improbable that the raw materials used, and the provisions and other articles consumed by the manufacturers, create a* HOME MARKET *for agricultural products not very inferior to that which arises from foreign demand.* A result more favorable than might have been expected from a view of the natural causes which impede the introduction, and retard the progress of manufactures in the United States."

*Had the crop been equal to the average one of ordinary years, the result of the business of the last month would greatly have exceeded the above returns. It is gratifying, however, to perceive, that whilst the revenue from tonnage eastwardly has, from the above cause, been injuriously affected, that arising from the transportation westwardly, has increased from $3,535 83 (being the amount for April, 1832) to $7,550 37, being that for the last month.

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"The information which has been obtained is not sufficient to submit, in conformity with the resolution of the house, the plan best calculated to protect and promote American manufactures. The most obvious means are BOUNTIES, *increased duties on importation*, and LOANS by government.

"Occasional PREMIUMS might be beneficial; *but a general system of bounties* is more applicable to articles exported than to those manufactured for home consumption."

"Since, however, the comparative want of capital, is the principal obstacle to the introduction and advancement of manufactures in America, it seems that the most efficient, and most obvious remedy would consist in supplying that capital. For although the extension of banks may give some assistance in that respect, their operation is limited to a few places, nor does it comport with the nature of those institutions to lend for periods as long as are requisite for the establishment of manufactures. The United States might create a circulating stock, bearing a low rate of interest, and lend it at par to manufacturers, on principles somewhat similar to that formerly adopted by the states of New York and Pennsylvania, in their *loan offices*. It is believed that a plan might be devised by which five millions of dollars a year, but not exceeding in the whole twenty millions, might be thus lent, without any material risk of ultimate loss, and without taxing or injuring any other part of the community."

VALUATION OF OUR CITIES. We meet with the following items in sundry papers.

| | |
|---|---|
| *Boston*—real estate, | $39,145,200 |
| Personal estate, | 23,028,200 |
| Total, | $62,173,400 |
| Total tax, | $320,000 |
| *New York*—real estate, | $104,042,405 00 |
| Personal estate, | 42,260,213 00 |
| Total, | $146,302,618 00 |
| Total tax, | $655,385 74 |

*Philadelphia*—(real estate) is put down at $25,818,144. Boston and New York, probably include the estimated values of the *counties* in which they stand, as well as of the cities, proper. Philadelphia means the *city* proper, which does not contain half the population of what is called, and really is, (except in corporate relations) Philadelphia.

But these valuations are a poor guide to just comparisons. The *manner* of making them is almost every where different, and arbitrary. They are none the worse on this account for local purposes. But we cannot see any reason why all such valuations should not be made at the estimated *money-price* of the property. The official value of Baltimore hardly exceeds one-third of its money value, and so it may be elsewhere.

CHRONOMETERS. For the purpose of encouraging and improving the manufacture of these useful instruments, the British government offer annually £500 in premiums for such as shall be found to perform best during a twelve months' trial at the royal observatory. From an inspection of the monthly reports, issued from that institution during the trial recently closed, we find that out of the number sent in, (sixty-two) the best was declared to be that by Messrs. Molyneux & Sons, No. 1,038, which took the first premium—having performed with an accuracy almost incredible—its actual variation from its rate in twelve months, being only sixty-seven hundredths of a second.

THE ENGLISH CHURCH. Mr. Hume has called for a return, which the house of commons has ordered to be printed, showing the number of resident and non-resident clergymen, the number of curates, the amount of their stipends, &c. for the year 1831, to which we would earnestly recommend to every church reformer to direct his attention. By this return it appears that out of the 10,560 benefices in England and Wales there are only 4,649 which have resident incumbents. Of the remainder there are 2,506 incumbents who are non-residents by exemption, 1,968 who are non-residents by license, 509 absent without license or exemption, 412 who have made no return as to residence, and 183 who have made no return at all. There are 115 benefices vacant; and in the few that remain the clergymen are non-resident, from different causes, more or less valid. It is but fair to state that this enormous number of non-resident incumbents have among them 1,648 who, in the words of the return, perform the duties of their respective parishes.

WATER IN THE DESERT. Two persons who understood the business of boring for water, were lately taken to Egypt by Mr. Briggs, then consul at Cairo. They were employed under patronage of the pacha, to bore for water in the Desert. "At about thirty feet from the ground (says the Repertory of patent inventions) they found a stratum of sand stone; when they got through that, an abundant supply of water was procured. We believe the experiment has succeeded in every place where it has been made. The water is soft and pure." In the desert of Suez a tank has been made, of 2,000 cubic feet contents, and several others are in building. It is a question worthy of philosophical consideration, what may be the effect of this discovery on the civilization of Egypt and Arabia—the fertilization of the soil—the increase of population, and the advantages derived by that commerce to which the barren and arid deserts have presented so many obstacles. [*Boston Eve. Transcript.*

PATRONAGE. *From the "Pennsylvanian" of May 3.* During the last few days, we have received an accession to our subscription list of *one hundred* good democratic names from the single city of *Albany*, N. Y. When the editor of the Standard hears this, he will jump out of his breeches with vexation.

## FOREIGN NEWS.

*From London papers to the 1st April, inclusive.*

### GREAT BRITAIN AND IRELAND.

The failure of the great house of Alexander & Co. Calcutta, for *four millions* sterling, had caused an extraordinary sensation among the monied men, and interests, in London.

Thirty ships were fitting out at London to carry emigrants to Canada, New South Wales and Van Dieman's Land, and ten had just sailed. One was about to leave for New South Wales with more than three hundred females—so many berths being already taken.

American stocks, March 28th.—United States bank shares £22 a £22 10; Pennsylvania fives, 108; Ohio sixes, 114; Louisiana state, 104; Baring's do. 98½; Mississippi sixes, 108.

Lord Durham has resigned the privy seal, and other changes in the ministry are speculated on.

About the 25th of March last, there arrived at London 130 vessels in one day—50 of them from foreign ports, and chiefly large ships. It is mentioned that for several years so large a number had not arrived in a single day.

The latest accounts from Ireland, give lamentable details of the anarchy and crimes perpetrated in that unhappily-doomed island. "Plague, pestilence, famine and murder" seem to be the litanic and legislative causes of the day. Trials were accumulating in all parts for murders, conspiracies, and connexion with secret societies. The catholic hierarchy, in synod, have denounced such illegal bodies, and have ordered the priests throughout the country to refuse absolution to any person convicted, or known in any way to belong to, or abet such societies. How long will this state of things continue, when not all the coercion of a misguided legislation, nor the denunciations of an influential hierarchy can deter from crime, or restore to order?

*Awful declaration against Irish landlords.* We take from the Wexford Freeman, the following description of two men named Redmond and Jackman, convicted of the barbarous murder of the Madoxes:—

Upon the announcement of the verdict, the prisoner, John Redmond, in a firm and distinct tone of voice, said—

"The verdict is right, so far as I am the man who committed the murder; but as for Nicholas Jackman, he is as innocent of it, or any participation in it, as (pointing to the bench) your lordship. Jas. Jackman, who was condemned yesterday, is also innocent."

This declaration produced a thrilling effect, as well upon the bench and jury, as upon the by-standers, all looking at each other in stupor and silent amazement.

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"Yes," resumed Redmond, "I am the man who committed the murder, and for which I am willing to suffer. Bad landlords and bad agents have driven me to commit the desperate deed. My old father, who had grown grey upon the farm, and his numerous and helpless family, being thence expelled by them. My father was in arrears five pounds; it was the last five pound note he had, he went and paid it down, and after all was ejected. I say again, bad landlords and bad agents have forced me to seek this desperate redress. I was resolved upon vengeance, and now that I have taken it, I am content to die."

Poor Jackman, who all the while stood in a trembling attitude; his face as pale as death, now fell upon his knees, saying—

"My blood be upon the jury who condemned me, for as I hope to appear before my Creator, I am perfectly innocent."

PORTUGAL.

The London papers have long details of proceedings at Oporto. It appears that the Miguelites had made two fierce attacks on Oporto in March last, in both which they seem to have been defeated, with a heavy loss; but nothing definitive has happened.

An attempt has been made to arrest admiral Sartorius, but he made prisoners of the persons appointed for that purpose; and things had proceeded so far that the admiral would probably blockade Oporto! But another account says, that the misunderstanding between him and Donna Maria's regency, had been settled.

FRANCE.

Changes in the ministry are talked of, but nothing important is mentioned as having recently occurred.

HOLLAND AND BELGIUM.

The affairs of these kingdoms remain as they were—unsettled.

TURKEY AND EGYPT.

A Russian squadron remained in the Bosphorus—which gave much uneasiness to French politicians; and it is intimated that some coldness existed between the two courts on this account.

Ibrahim Pacha has taken possession of Smyrna. He made the governor a prisoner, and seized all the Turkish property on board of vessels in that port: and yet it is given out that an arrangement between the sultan and Mehemet Ali had been made. It is said that M. claims only to hold Syria as a pachalic under the supremacy of the porte, to which he acknowledges himself tributary, and to have Egypt declared an hereditary government in his family. It is added, however, that Russia is opposed to the independence of Egypt, which is advocated by France and England.

The St. Petersburg Gazette, contains a report of the proceedings adopted by the emperor towards the Ottoman empire, and of their results at Constantinople. The sultan is reported to have been highly gratified by "the splendid proofs of the exalted regard of his majesty the emperor, for the interest of the Ottoman empire," and has made arrangements to avail himself of the aid of Russia, should events require it.

GERMANY.

The king of Wirtemburg has had a collision with the assembly of the states, and abruptly dissolved them. The reason was their refusal to sanction and adopt the tyrannical edict of the Frankfort diet. A rumour was current in Paris on the 30th, that the Prussian ambassador had received an official notification of a resolution by the German diet to suspend, for five years, the representative chambers throughout Germany.

GREECE.

*Trieste, March* 18. The last accounts from Corfu confirm the news, that all parties in Greece have made their submission, and that universal tranquillity prevails. Trade is resuming its activity. New ships are already constructing on the south side of the Morea, as well as in the dock yards of Galixidi, in the Bay of Corinth.

FOREIGN ARTICLES.

*Irish disturbances bill.*

A motion for the third reading of the Irish disturbances bill was made in the British house of commons on the 29th of March. A long, but not very interesting debate ensued.

Mr. *Cobbett* moved, as an amendment, that the bill be read a third time that day six months—Mr. *Fielden* seconded the amendment.

The third reading was opposed by Mr. Clay, sir S. Whalley, Mr. Langdale, Mr. Ruthven, Mr. Barron, Mr. M. O'Connell, Mr. Hume, Mr. Bellew, and Mr. E. Ruthven; and was supported by Mr. Wilbraham, Mr. Poulter, Mr. Barnard, sir H. Verney, Mr. H. Dare, Mr. G. Young, Mr. Ward, Mr. Lamont, Mr. D. Brown, Mr. Petre and sir J. Tyrrell.

Mr. *O'Connell*, in opposing the bill, warned the house of the consequences of passing such an act, which would exasperate the Irish people, and be the sure means of effecting a separation between England and Ireland; for though the original horrors of the bill had been mitigated, it was sufficiently atrocious to rouse the indignation of his countrymen.

Lord *Althorp* replied. Crime, he said, was as great as ever in amount, life and property as insecure, as when the bill was first brought in. The honorable and learned gentleman, (Mr. O'Connell), said that the waters of liberty required agitation, but if they did require perpetual agitation—if freedom could not exist with peace and order, it was not the freedom, or the definition of tha freedom, which he had been taught from his youth upwards to love, (hear, hear.) One of the great merits of liberty—one of its most endearing qualities, was that it provided for the peace and happiness of all. Liberty was not that state in which one party only could express its sentiments, (hear), in which men who voted according to conscience in their legislative capacity, were to be denounced as traitors to the best interests of their country, (cheers.)—That was not what he called liberty, (hear.) Again, the honorable and learned gentleman had asked what country required agitation so much as Ireland? He, (lord Althorp), would rather ask what country required quiet more? (Cheers.) The honorable and learned gentleman also said that Ireland had never been injured, save by her own sons. In that position he fully agreed with the honorable and learned gentleman; and would further add, that it had never been more grievously injured by her own sons, than of late years, (hear, hear.) All Ireland's real grievances had been freely admitted by the government and the parliament, and both were steadily bent on applying proper remedies to them, (cheers.)

The house then divided—for the third reading, 345—for Mr. Cobbett's amendment 76—majority 269.

The bill was then read a third time and passed.

BRITISH HOUSE OF LORDS—MARCH 28.

*Negro slavery—intentions of ministers.*

Lord *Suffield* said he had several petitions on the subject of slavery in his hand, which he was induced by peculiar circumstances to present to their lordships at an earlier period than he had at first intended. Certain rumors had lately been afloat respecting the plan of emancipation to be proposed by government, which he confessed had produced in his mind, and he believed in that of the public, the greatest consternation. He did not mean to say that those rumors had lessened the general confidence which he was disposed to place in his majesty's ministers, or cause him to regard with distrust their intentions with respect to the particular question to which the petitions he held in his hand referred. He felt convinced that the principles of his noble friends near him were sound and right, and he had no doubt that they were fully disposed to act upon them; but yet he was not blind to the formidable array of prejudice and false notions of self interest with which they had to contend. He was anxious, therefore, to obtain for them such support throughout the country, and such a decided expression of the national feeling, as could alone enable them to encounter the opponents of the settlement of this question.—The petitioners prayed for a total and immediate emancipation; and he could assure their lordships that nothing but total and immediate emancipation would satisfy the country. He wished, however, to explain, that by the expression "immediate emancipation" was meant—not that the slaves should be at once liberated on the sending out of a despatch, or the sailing of a ship—but that at the earliest possible period there should take place a substitution of legal restraint for the present absolute and irresponsible power of the slave master.

Lord *Goderich* said it was obviously impossible for him to give any answer to the rumors which his noble friend said he had heard respecting the supposed intentions of government on the subject of negro emancipation. He did not think it at all incumbent on government to offer explanations relative to rumors stated on such loose authority as newspaper report. It was not his duty to state at the present time what communications had taken place between the government and different parties on this subject; but, aware as he was of the importance of submitting it at the earliest possible period to the decision of parliament, yet we must take the liberty of saying that if the wish of the noble baron opposite—that this question had been brought under the notice of parliament before the present time—had been realized, the result would have been any thing but advantageous to the safe and satisfactory settlement of the question. (Hear hear).

The duke of *Buckingham* regretted that the measure of government on the subject of emancipation had not yet been brought forward. To the government and not to the West India proprietors, was to be attributed the blame of all the delay. The government had communicated with a portion of the West

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India interest, and to them they had told their hopes, their wishes, and their disputes, which were kept a secret from the general body of West India proprietors.

Earl *Grey* said there was no doubt that this question was one of deep importance; and however anxious he might be to have it settled, he was still as anxious that all circumstances connected with it should be carefully examined, and the co-operation of all parties interested procured. However easy and popular it might be to attack ministers for delay, he was content to submit to any imputation of that kind, provided that he avoided the greater danger of precipitation, of which the only result could be an unsatisfactory and unsafe settlement of the question. As to communications that had taken place between government and other parties on this subject, he did not think that the noble duke would impute it as a crime to them that they had endeavored to ascertain the opinions of the West India body, and to obtain their co-operation in a work which was beset with difficulty and danger.

The noble duke complained that the government had communicated with a select portion of the West Indian proprietors. How would he have had the government act? Would he have had the ministers go to a general assembly—to a meeting at Exeter hall—and there publicly declare their intentions? All that ministers could do was to consult those privately whom they knew to be opposed to them, but in whom they had the greatest confidence, in order to ascertain in what way their objections could be met. Of course it would be inconsistent with his duty to throw out any hint respecting the nature of any plan which it might be in the contemplation of ministers to propose. All he would say at present was, that the attention of government generally, and of his noble friend near him, had been directed carefully to this great subject, with a view to bring it, as speedily as possible, to a satisfactory settlement. He could not say what the rumors were to which his noble friend had alluded; for such rumors the government were not responsible, and it could not be expected that they should enter into any explanation with respect to them. To declare immediate emancipation would undoubtedly make short and easy work of the matter, but he confessed that that was not the way in which he wished to deal with the question; and he was glad to hear from his noble friend's explanation that the word "immediate" was not to be taken as meaning immediate (laughter), but the earliest period at which emancipation could take place with safety to all the interests concerned. He (earl Grey) was anxious for the abolition of slavery, but he was not prepared to declare for immediate emancipation, without considering the consequences that might flow from such a measure.

The duke of *Richmond* begged leave to emphatically deny that there were any disputes or differences in the cabinet in relation to the West India question.

*The plan of liberation.*

We extract the following from the London Standard, in which it was given as a faithful outline of the government plan, for the settlement of the West India question:

A loan of 20 millions is to be negotiated upon the credit of the colonies. The legislative assemblies of those colonies which have any are to be called upon to guarantee this loan, and in the colonies which have not legislative assemblies, some agreement is to be come to with the planters for the like purpose. The loan is to pay an interest of five per cent.—one per cent. being reserved for the creation of a sinking fund and the remaining sum to be payable to the subscribers.

The money so raised is to be applied as follows to the immediate emancipation of the whole negro population:

The planters are to be paid an ad valorem price ranging between £10 and £20 per head, for their several slaves. The slaves then, de facto, cease to be the planter's property, and become the indented laborer, as it were of the public. They are, however, to be held in gangs upon the estates in the cultivation of which they are employed.

They are to be compelled to work six days of the week and the compulsory instrument is to be supplied by a numerous and efficient white police, acting under a subordination of magistrates communicating with the several colonial governors.

## CONDITION OF THE PEOPLE OF IRELAND.

*From the American Almanac for* 1833.

According to the returns of houses in 1791, there were—

| | |
|---|---|
| Houses inhabited by paupers, | 112,556 |
| Houses having only 1 hearth and not inhabited by paupers, | 515,346 |
| Houses having 2 hearths, | 32,785 |
| Houses having 3 hearths, | 10,216 |
| Houses having more than 3 but less than 9 hearths, | 23,299 |
| Houses having from 11 to 144 hearths, | 9,900 |
| Total, | 704,102 |

This statement indicates what is notoriously the fact, that the great mass of the people of Ireland are extremely poor. The number of inhabited houses, since the above date, has much increased: in 1821, it was 1,142,602; but the condition of the people has probably not been on the whole, improved. "Four mud walls with one entrance, and frequently without either window or chimney, constitute an Irish hovel. The rent of these cabins is from one to two guineas a year. To each cabin there is commonly annexed about one acre of ground, which is cropped with potatoes, oats and flax. There are numbers of peasants who have not a bedstead, nor even a truckle bed-frame. They sleep on a bundle of straw or heath, laid on the clay floor; sheets are scarcely known, and their blankets are scanty and tattered. Their food is almost entirely potatoes and milk, and their fuel turf."

The habitation of the Irish peasant is described by Mr. Bicheno as follows:—"It is built by the occupier of the soil out of the materials which he finds on the spot. The four walls are of dirt, mixed with rushes or straw beaten up with it. The floor is the earth. The roof is constructed of bogwood fastened together with pins of the same, or tied with rude cordage made of grass or rye-straw, which is a favorite material. The covering is sods or perhaps a thatch of heath. If a window be indulged in, it consists of a single pane of glass, built in with the wall. There is a door-way, but frequently no door; its place being supplied by a straw mat. The chimney, if there be one, is a square frame of wood work, wrapped round with wattles of hay plastered with clay. The smoke indeed seldom escapes by its lawful channel, but makes its way as it can, by every pore through the roof, walls and door. The general aspect of these hovels at a distance is that of heaps of dung reeking with the steam of their own fermentation."

"No country upon earth," says Mr. Bryan, in his Practical View of Ireland, "has exhibited so stern an evidence of the fatal power of an oligarchy to counteract the bounties of heaven as Ireland. Her soil has been proved by the clearest experiments to be superior to that of England; yet 5,000,000 acres are at this day undisturbed by the plough or spade; her seas abound with fish, and some of the finest fishing banks are in sight of her shores; yet the Irish peasant on the first failure of his potatoe crop, dies of hunger. In this country we behold capacious jails, extensive barracks and crowded hospitals; and in their vicinage the clay-built habitations of the people, whose food is roots—drink, water—and beds, straw;—all manifesting their moral and physical degradation. In one year 20,000 persons have perished from famine and 8 millions' worth of produce exported. Mr. Nimmo, the government engineer, states the yearly expenditure on idle beggars to be £1,500,000: soldiers cost £1,300,000: police, £250,000: total $3,050,000 for idle consumers, to keep Ireland in a state of misery, famine, idleness and insurrection, where there is no security for life or property."

"More than £12,000,000," says Mr. Bryan, "is annually taken from *direct* investment in Irish industry; £4,000,000 of absentee rent; £2,000,000 invested in the funds; more than £5,000,000 of taxes; £600,000 for tithes, if we consider the whole island brought under the composition act, and make our estimate from the 1,200 parishes now under it; £600,000, the rent of glebe and bishops' lands. The tyranny of the Irish landlords is almost incredible." "The rents," Dean Swift affirmed in his time, "are squeezed out of the very blood, and vitals, and clothes, and dwellings of the tenants, who live worse than English beggars." Mr. Bicheno remarks, that "there are many liberal landlords; but still as a class, they are needy; exacting, unremitting, harsh, and without sympathy for their tenants." "The Irish landlord," says the Quarterly Review, November, 1831, "is not even restrained by the check of fear which operates on an eastern despot, lest extremity of suffering should drive his *ryot* peasants to desperation and endanger the security of his power and property. *He* depends on an *English army*, maintained by *English taxes*, for the collection of the amount of his bond, and for securing the passive submission of his tenantry to any exactions he may choose to inflict. There can be no question of the various classes of peasantry, the Irish cottiers stand the most thoroughly destitute and alone in the time of calamity, are the most entirely at the mercy of their own landlords, and, as a body, occupy the lowest, the most helpless, and utterly hopeless position. It is only the circumstance resulting from the proximity of England—the facility, namely, of procuring money and suppressing insurrection—which creates the peculiar pow-

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er of extorting high rents possessed by the landlords of Ireland, and places the cultivator of the soil of that country in a situation of unexampled hardship. May the common legislature, by extending the benefit of the English poor laws to that portion of the empire, speedily remove this dreadful state of things, which, so long as it exists, is an indelible disgrace to a nation that prides itself on standing at the head of civilization, on the benevolence of its character, and on the equality, the justice, and impartiality of its institutions!"

"The Irish proprietors," says Mr. Bryan, "reside chiefly in England, indulging in luxurious ease and comfort, and participating in all voluptuous amusements, purchased by means of the toil and blood of thousands of their fellow creatures." The cultivator receives barely what keeps him alive. "The potatoe is the only produce he reserves to himself. All the rest, cattle, corn, butter, pigs, poultry, eggs, go to the landlord." Bicheno. "The average rate of rural wages for men, in the whole country, is 10*d.* a day; in some districts it is only 8*d.* And when the days, nay, weeks and months, in which great numbers of laborers cannot obtain employment, are deducted, what a wretched remuneration is even 10*d.* a day! When the employment is constant, this remuneration is insufficient. It is but 5*s.* a week: out of which deduct 10*d.* a week for house rent, and 3*s.* 6*d.* for potatoes to give a family three meals a day, allowing 28 lbs. for each day, at 3*d.* a stone, a low average for the whole country throughout the year, and but 8*d.* a week, or £1 14*s.* 8*d.* a year would remain to provide fire and clothing for the family. There would be nothing for salt, milk, or any kind of sustenance other than potatoes washed down with water. The Irish are not singular in being turbulent, when suffering privations or oppression; but they are singular in bearing so much of both before they become turbulent." *Commentaries on Ireland*, 1831. "The people, naturally hardy, easily subsisted, and singularly vigorous, laborious and intelligent, when we consider their opportunities," says Bryan, "are yet one-eighth of them paupers, and almost all restless, insubordinate, and embittered against the laws and present system of government."

## ORIGIN OF THE BRITISH SLAVE TRADE.

The following statements respecting the origin and history of the British slave trade, are from the London Courier.

The slave trade was instituted in the reign of queen Elizabeth, who personally took a share in it. At that time the West India colonies did not exist.

In 1662, Charles II. granted an exclusive right in the slave trade to queen Catharine, the queen dowager, the duke of York, and others, who formed themselves into a trading company, they undertaking to supply the West India planters with 3,000 slaves annually. In the same year that monarch issued a proclamation inviting his subjects to transport themselves to Jamaica, agreeing to allot lands to every individual who would go to reside in the island, and signify his resolution to plant there.

The slave trade continued to be fostered during the reigns of Charles II. and James II. but still under a monopoly.

In 1679, petitions from the manufacturers in Great Britain of woollen and other cloths, and the makers of the various articles necessary to the slave trade with Africa, were presented to parliament, alleging that the trade was cramped by being in the hands of an exclusive company, and praying that it might be opened.

In consequence of these and similar petitions to the house of commons, a committee of the whole house, in 1695, resolved, "That for the better supply of the plantations, all the subjects of Great Britain should have liberty to trade to Africa for negroes, with such limits as should be prescribed by parliament;" and by statute 9 and 10 William III. c. 26, the trade was accordingly laid partially open, the preamble of that act stating, that "the trade was highly beneficial and advantageous to the kingdom, and to the plantations and colonies thereunto belonging."

The manufacturers of Great Britain, however, were still dissatisfied with the restrictions imposed upon the trade. They continued to ply the legislature with petitions to give greater latitude to a traffic, by which they exchanged their goods for negroes, and sold those negroes to the West India proprietors.

From 1711 until 1749, the demands of the manufacturers for a more unrestricted trade continued to be the subject of parliamentary investigation and dispute.

At length, in 1749, the statute 23, Geo. II. c. 31, was passed, which removed all obstruction to the operations of private traders, declaring "the slave trade to be very advantageous to Great Britain, and necessary for supplying the plantations and colonies thereunto belonging, with a sufficient number of negroes at reasonable rates."

To show the light in which the courts viewed the slave trade, the following is quoted from the report of a case referred to the judges for their opinion by the crown on the Assiento contract. The judges say: "In pursuance of his majesty's order in council hereunto annexed, we do humbly certify our opinions to be, *that negroes are merchandise;* that it is against the statute of navigation made for the general good and preservation of the shipping and trade of this kingdom, to give liberty to any alien to trade in Jamaica, or other his majesty's plantations, or for any shipping belonging to aliens to trade there, or to export thence negroes," &c. And the certificate is signed by lord C. Holt, justice Polexfen, and eight other judges.

Neither does the case rest here. The colonies anxious to limit the trade, passed laws imposing a duty on negroes imported. Great Britain refused to sanction any laws having such a tendency. The colonies began in 1760. South Carolina, then a British colony, passed an act to prohibit further importation.

Great Britain rejected this act with indignation, and declared that the slave trade was beneficial and necessary to the mother country. The governor who passed it was reprimanded, and a circular was sent to all other governors warning them against a similar offence.

The colonies, however, in 1765, repeated the offence, and a bill was twice read in the assembly of Jamaica for the same purpose of limiting the importation of slaves, when Great Britain stopped it, through the governor of that island, who sent for the assembly, and told them that consistently with his instructions he could not give his assent; upon which the bill was dropped.

At a later period, 1774, another attempt to the same purpose was made by the assembly at Jamaica, who passed two bills to restrain the importation of negroes. This was met by letters from lord Dartmouth, the secretary of state, to sir Basil Keith, the governor of Jamaica, stating that, "the measures had created alarm to the merchants in Great Britain engaged in that branch of *commerce,*" and forbidding him upon "pain of removal from his government to assent to such laws."

The despatch proceeds:

"At the same time, I am to acquaint you that the alarm taken by the merchants of this kingdom, on account of that act, has been greatly increased, and fresh complaints of a very urgent nature, have been made by them, from their having received advice, not only that such additional duty has been continued for another year, by an act passed in November last, but that propositions have been adopted for laying the slave trade under further restrictions, and subjecting it to impositions that will have the effect of an entire prohibition.

## BRITISH WEST INDIA COLONIES.

The following information, respecting the British West India colonies, acquires more interest at this time, when their future fate depends on the measures which may be adopted by the British government, with regard to the slave population:—

Estimates of the value of the British West India colonies, as taken from the report of the select committee of the house of lords, and recently published in London.

| *British colonies.* | |
|---|---|
| Jamaica | £58,125,298 |
| Barbadoes | 9,089,530 |
| Antigua | 4,364,000 |
| St. Christopher | 3,783,800 |
| Montserrat | 1,078,440 |
| Nevis | 1,750,100 |
| Virgin Islands | 1,093,400 |
| Grenada | 4,994,365 |
| St. Vincent | 4,206,866 |
| Dominica | 3,056,000 |
| Trinidad | 4,932,705 |
| Bahamas | 2,041,500 |
| Bermudas | 1,111,000 |
| Honduras | 5,787,600 |
| | £105,415,604 |

*Ceded colonies.*

| | |
|---|---|
| Demerara - - - - - - - - | £18,410,480 |
| Berbice - - - - - - - - - | 7,415,160 |
| Tobago - - - - - - - - - | 2,682,920 |
| St. Lucia - - - - - - - - - | 2,529,000 |
| | £31,037,560 |

So that the whole amount is not less than £136,453,164.

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The subjoined table, embraces satistical information important as exhibiting the relative number of blacks and whites in the British West Indies, and as furnishing data from which to estimate the amount of property which may be suddenly struck from the hands of the colonists, will not be uninteresting to our readers.

| *Chartered colonies.* | *Whites.* | *Slaves.* | *Free blacks.* | *Governors.* |
|---|---|---|---|---|
| Jamaica | 15,000 | 331,000 | 40,000 | earl of Belmore. |
| Barbadoes | 15,000 | 81,000 | 5,000 | sir James Lyon. |
| Antigua | 2,000 | 30,000 | 4,500 | sir Patrick Ross. |
| Grenada | 800 | 24,500 | 3,700 | sir Jas. Campbell. |
| St. Vincent | 300 | 23,500 | 8,900 | sir George F. Hill. |
| St. Christopher | 1,800 | 19,500 | 2,500 | Wm. Nicolay. |
| Nevis | 800 | 9,000 | 1,800 | " Boothby lt. gov. |
| Virgin Isles | 800 | 5,400 | 607 | Jas. Bathurst, lt. g. |
| Dominica | 800 | 14,500 | 3,600 | |
| Tobago | 350 | 12,700 | 1,200 | Nat. Blackwell. |
| Montserrat | 500 | 6,000 | 700 | sir P. Stewart lt. g. |
| Bahamas | 400 | 9,500 | 2,800 | sir Jas. C. Smith. |
| *Crown colonies.* | | | | |
| Trinidad | 13,500 | 23,000 | 16,000 | Lewis Grant. |
| St. Lucia | 1,000 | 13,500 | 4,000 | |

## FRENCH LIBERTY OF THE PRESS.

*Paris, March* 21. Yesterday, at noon, the court of assizes assembled to pronounce judgment in the affair of M. Paulin, editor of the National, and that of M. Cuchet, editor of the Charivari. The judges remained in deliberation in the council chamber till a quarter past five, when they entered the court and delivered judgment. M. Cuchet was dealared guilty of having, with bad faith, given an unfaithful report of the proceedings on the late trial, and condemned to a month's imprisonment and a fine of 5,000f. with prohibition to make in the Charivari any report on judicial proceedings for the space of one year. M. Paulin, for the same reason, was also condemned to a fine and term of imprisonment, with interdiction to report judicial proceedings in the National for two years.

The Temps has the following:—"If these judgments are carried into execution, there is an end to the freedom of the press. However much accustomed we may be to the enormity of judgments by default, this surpasses all our powers of expression. The restoration, which for fifteen years was engaged in sacrificing our liberties, presents only one example of such an excess of power. We do not, however, entertain any apprehension for the ultimate fate of our brethren—the court of Cassation will do justice to this decree, which is already rejected by public opinion. A painful impression must nevertheless remain. On seeing the judges of the land eagerly joining the administration in its acts of violence, men begin to ask each other whether the contest, which was carried on between the restoration and the press, is not about to be renewed, and whether it may not terminate in another revolution?"

*March* 22. The Tribune and the Echo Francais of yesterday were seized—the former for its leading article relative to the condemnation of the National and Charivari, and the latter for having copied the same article.

## LONDON POLICE.

The following is a list of the number of prisoners taken into custody by the metropolitan police, and the result of the charges, in the year 1832:

| | |
|---|---|
| Males | 49,890 |
| Females | 27,653 |
| Total | 77,543 |
| Drunken persons dismissed when sober by the superintendents. | |
| Males | 15,411 |
| Females | 10,291 |
| | 25,702 |
| Taken before magistrates | 6,934 |
| Total | 32,636 |
| Summarily convicted by magistrates. | |
| Males | 16,052 |
| Females | 7,406 |
| Total | 23,458 |

| | |
|---|---|
| Committed for trial by magistrates. | |
| Males | 2,700 |
| Females | 956 |
| Total | 3,656 |
| Discharged by magistrates. | |
| Males | 15,727 |
| Females | 9,000 |
| Total | 24,727 |
| Convicted and sentenced. | |
| Males | 1,813 |
| Females | 496 |
| Total | 2,309 |
| Acquitted, bills not found, or not prosecuted. | |
| Males | 603 |
| Females | 294 |
| Total | 897 |

In the last year there is an increase of 4,719 persons taken into custody by the metropolitan police, compared with the preceding one.

A list, containing the number of persons apprehended by the force, the nature of the offences with which they have been charged, and the disposal of each charge, has been printed by the commissioners, and sent to the different police offices.

## NAMES OF FORTIFICATIONS.

HEAD QUARTERS OF THE ARMY.

*Adjutant general's office, Washington, April* 18, 1833.

The secretary of war has given the following names to the forts to be constructed and situated on the points and places here below mentioned.

To the work on Grand Terre, Louisiana—Fort Livingston.

To the work on Mobile Point, Alabama—Fort Morgan.

To the work on St. Rosa Island, Florida—Fort Pickens.

To the work on Cockspur Island, Ga.—Fort Pulaski.

To the new work now constructing in the harbor of Charleston, South Carolina—Fort Sumter.

To the work on Oak Island, North Carolina—Fort Caswell.

To the work on the Pea Patch, Delaware river—Fort Delaware.

To the work on Throg's Neck, New York—Fort Schuyler.

To the work on St. George's Island, Boston harbor—Fort Warren. By order of maj. gen. Macomb,

R. JONES, *adj. gen.*

## CANAL TRANSPORTATION.

*From the Cincinnati Gazette, 13th inst.*

We are indebted to Messrs. Mills and Townsend, agents for the New York and Ohio transportation lines, for the following communication received by them from Alfred Kelly, esq. acting canal commissioner of the Ohio canal:

"Persons engaged in commercial pursuits, and particularly those who receive merchandise from the eastern cities, or send property of any kind to those cities, will be interested in learning that such important reductions have been made in the rates of toll, both on the Erie canal of New York and on the Ohio canal, as will materially reduce the cost of transportation between the western country and the seaboard, by way of the lake and the canals.

"On the Erie canal of New York, the tolls on the staple articles of agricultural produce, such as flour, wheat, beef, pork, lard, whiskey, &c. have been reduced from 7 to 5 mills per 1,000 lbs. per mile, and on merchandise coming from tide waters, from 14 to 12 mills per 1,000 lbs. per mile.

"On the Ohio canal, the toll on the staple articles of agricultural produce, in all distances beyond 200 miles, have been reduced from 5 to 3 mills per 1,000 lbs. per mile. The toll charged on the staple articles of agricultural produce from Portsmouth to Cleaveland is 15 cents 8 mills per 1,000. Sugar and molasses in hogsheads or barrels, cotton in bales, and manufactured tobacco, transported from the Ohio river to the lake, throughout the whole length of the Ohio canal, and charged with toll at the rate of five mills per 1,000 lbs. per mile. Under the present rates of toll, flour may be transported from Cleaveland to New York for $1 00 per barrel, covering all expenses, and for about $1 62 from Portsmouth, and other staple articles at the same prices, according to weight. Merchandise may be delivered at Portsmouth from the city of New York for $2 25 per 1,000 lbs. and at Cincinnati $2 37½ to 2 40, covering all expenses at intermediate points.

"On lake Erie arrangements have been made to have 2 steam boats leave Buffalo every day for Cleaveland, and the other for Detroit by way of Cleaveland. One steamboat leaves Cleaveland for Buffalo, and one touches at Cleaveland on its way from Detroit for Buffalo each day. This arrangement will expedite the transmission of goods between New York and the western country, and together with the arrangements made for the tow boats on the Hudson river, will prevent those delays in the forwarding of mercandise which have heretofore been the subject of complaint. The average time required to transport goods from New York to Portsmouth on the Ohio will not exceed 17 to 20 days."

## OLD OPINION ABOUT NULLIFICATION.

The operation of a state veto on our foreign relations is not matter of conjecture; it is history, and is strikingly exemplified in the following letter from the duke of Dorset, to the American commissioners in 1785, at Paris. They, it seems, had made overtures to enter into a treaty of commerce with Great Britain: and this is his grace's answer. If the doctrines contended for by the Cooper party* in South Carolina, and his disciples Calhoun, Hayne & Co. should be established, such would be the language of every power in Europe to whom we might

*Great injustice is done to that celebrated man, Dr. Cooper, in designating the nullification doctrines as the work of Calhoun. He is the humble imitator of Cooper, who has the honor of being the true founder of the sect. Hamilton is without a rival in the part of Saide to this new political prophet.

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apply, to make commercial or other arrangements with us. [*Washington Globe.*

*From the duke of Dorset to the commissioners.*

*Paris, March* 26, 1785.

GENTLEMEN: Having communicated to my court the readiness you expressed in your letter to me of the 9th December, to remove to London, for the purpose of treating upon such points as may materially concern the interests, both political and commercial, of Great Britain and America, and having at the same time represented that you declared yourselves to be fully authorised and empowered to negotiate, I have been, in answer thereto, instructed to learn from you, gentlemen, what is the real nature of the powers with which you are invested, whether you are merely commissioned by congress, or whether you have received separate powers from the respective states. A committee of North American merchants have waited upon his majesty's principal secretary of state for foreign affairs, to express how anxiously they wished to be informed upon this subject, repeated experience having taught them in particular, as well as the public in general, how little the authority of congress could avail in any respect, where the interests of any one individual state was even concerned, and particularly so, where the concerns of that particular state might be supposed to militate against such resolutions as congress might think proper to adopt.

The apparent determination of the respective states to regulate their own separate interests, renders it absolutely necessary, towards forming a permanent system of commerce, that my court should be informed how far the commissioners can be duly authorised to enter into any engagements with Great Britain, which it may be in the power of any one of the states to render totally fruitless and ineffectual. I have the honor to be, &c.

DORSET.

## "THE STAR SPANGLED BANNER."

*From the Cincinnati Republican.*

The circular, copied below, has been received by a gentleman of this city. To say that the object intended in it meets our cordial approbation, is but imperfectly expressing our feelings. We love the *American union*—and we love every thing connected with its history that tends to throw glory and beauty around it. Sometime last winter, we published the speech of Mr. Poinsett, (made, we believe, in a meeting of the unionists, in Charleston, South Carolina), in which the almost magic triumph of our American flag, in Mexico, was related. No American, whose heart is still alive to the revolution, can read the little incident referred to in the circular, and which is so touchingly and eloquently described by Mr. Poinsett, without feeling proud of our union. The intention of the circular is to procure the means of embodying that one glorious triumph of the *star spangled banner* upon canvas—to construct from the circumstances a memento of our national greatness, flattering alike to our patriotism and our taste. Copies of the circular have, we presume, been sent to all the other cities in the U. States, and the funds necessary to the execution of the design will speedily be raised.

[CIRCULAR.]

*Charleston, S. C. April 11th*, 1833.

At the period of the revolution of the *Acordada*, which compelled the congress of Mexico to reverse the election of Pedraza and place Guerrero on the presidential chair, the city was taken by assault, and the army of Guerrero attacked and plundered the houses of the European Spaniards, who were peculiarly odious to the native Mexicans. Many of these had taken refuge in the house of the American ambassador, and it was pointed out to the exasperated soldiery as the asylum of their enemies. They rushed to attack it, and in a few minutes would have massacred all within its walls. At this moment, when hundreds of muskets were levelled at the windows, Mr. *Poinsett*, with his secretary of legation, Mr. *John Mason*, jr. threw themselves into an open balcony which overlooked the crowd, and, unfurling the STAR SPANGLED BANNER, demanded that all persons in his house should be protected while the flag of his country waved over them. The scene changed as by enchantment, and the very men who were about to make the attack, cheered the *standard of our union*, and placed sentinels to guard it from outrage. The history of the world presents no parallel to such a scene: and its moral beauty and grandeur should be equally preserved on the page of the historian and the canvas of the painter. It is therefore proposed to raise by subscription a sufficient sum to have *this illustrious triumph of our national flag* represented on canvas and afterwards engraved. The painting will be presented to some public institution of the state or United States.

The minute particulars attending the unfurling of the United States flag at Mexico, furnish materials for a splendid national painting. The sectional excitements, at the present existing among the states, are obliterating national feelings. These must be revived, the arts are powerful in their operation, and lasting in their influence. We must have national paintings, national songs, national celebrations, to excite and perpetuate national enthusiasm. Though it is difficult for the mind to calculate the value of the union, yet the hand of a master may successfully exhibit to a single glance, that national protection, which, like the pressure of the atmosphere, though omnipresent and powerful, is neither seen nor felt. The flag of every country is its emblem. It should command respect abroad—adoration at home. The man who loves and reveres not his country's flag, is prepared to violate her laws and destroy her institutions. To pourtray then the Star Spangled Banner overawing, in a foreign land, an infuriated and lawless soldiery, and protecting from revolutionary violence the objects of political hatred—is to spread before the eyes of our countrymen, and particularly of the rising generation, the unseen, but high moral protection afforded by a great, because a *united people*. The chief object, however, is to have this scene engraved, that the flag of our country may wave in every house, in every cottage, even every log house beyond the mountains; that our children may learn, before they can read, to love and reverence the emblem of their country's power, and may realize that it is their guardian and protector, not only on their native soil, but in a land of strangers.

The amount of your subscription you will please transmit to the joint address of

WILLIAM DRAYTON,<br>
DANIEL E. HUGER,<br>
BENJ. F. PEPOON, } *committee.*

☞And yet the "star spangled banner" was absent—at the late *grand* military celebration at Charleston.

## THE PUBLIC CREDIT.

In a circular letter written by Messrs. Baring, Brothers & Co. of London, dated March 14th, 1833, we find the following account of United States stocks:

| | | |
|---|---|---|
| United States bank, per share, | | £22 5s. to £22 10s. |
| Louisiana bank | do. | 26 15s. |
| Louisiana state bank | do. | 26 5s. |
| N. Orleans canal bank | do. | 24 15s. |
| With dividend from 1st January. | | |
| New York fives, 1845 | | £105 to 106 |
| sixes, 1837 and 1845 | | —— |
| With dividend from 1st January. | | |
| Pennsylvania fives, 1856 and 1860, | | 105 to 107 10s. |
| With dividend from 1st February. | | |
| Ohio sixes | | 114 |
| Fives | | —— |
| With dividend from 1st January. | | |
| Alabama fives | | No buyers. |

The letter closes in the following manner:

"Scarcely any thing is doing in American stocks: there are, however, fewer sellers, and confidence is, in a great measure, restored; but it will be a long time before they recover the favor to which they had reached before the violent proceedings in Carolina."

Here is evidence derived from the most respectable source, of the evil effects of such principles and such conduct, in one of the United States, as have been lately manifested in South Carolina. They necessarily shake all confidence in the character of our system of government, and the stability and permanency of the union of the states. The first visible effect is in the injury to our credit. It is impossible that it should be otherwise. When foreigners perceive that one of the states of which the union is composed, claims right to prevent the execution of the laws of the nation within its limits, and, in the pro-

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secution of its opposition, adopts measures entirely subversive of the national authority and power, setting that authority at defiance, and arming its inhabitants to resist by military force the execution of the laws, it is not possible in the nature of things, that they should not lose their confidence in a government, which to them must appear so weak and insecure, as such a state of things would necessarily indicate. And it is worthy of remark, that the evil thus produced, does not primarily fall upon the state of South Carolina. Its effects are realized by the government of the United States, and in many instances by the people of the other states.

It is not likely that the United States will ever be reduced to the necessity of going abroad to borrow money, and therefore they will not be exposed to the effects of the loss of credit in that particular way: but when the character of their government is injured, and doubts of its stability and security are raised, the loss of credit necessarily follows, and every state, as well as individuals, must be, in greater or less degree, sufferers. The credit of many of the individual states has hitherto been, and still is good, abroad as well as at home. Much of this credit, however, arises from their relationship to the union, and its continuance in a great measure depends on the permanency of the national government. Let the union once be destroyed, and the states be "thrown back upon their sovereignty," and not only South Carolina, and other small states, but the great states of New York, Pennsylvania, Virginia and Ohio, would be most materially affected by such a state of things. Nor could any future union that might be formed between any number of the states, restore them to the ground they had lost; because the first attempt to maintain an united republican government over such communities having failed, and for no substantial cause, it is perfectly apparent that the world at large would place no confidence in the more fortunate result of a second experiment.

We are perfectly aware that reasoning against pride and passion is a hopeless task; and that men who are under the influence of the latter, and who wholly disregard the former, consider it a matter of far greater importance that their will should be gratified, than that the general interests of the country should be consulted, or the union and the constitution be preserved. This feeling may last for a while; but the tempers of men must eventually cool, and grow more moderate; and when the consequences of rash and violent measures are realized in their full extent, conviction will force itself upon their minds, and will add much to the poignancy of unavailing regret. [*New York Daily Adv.*

## THE PROTESTED BILL—ON FRANCE.

*From the Washington Globe.*

In order to counteract the misrepresentations which mischievous persons are making on the subject of the non payment by the French government of the bill drawn for the first instalment payable under the late convention between the United States and France, it may not be improper to state the facts.

The act of the 13th of July, 1832, having made it the duty of the secretary of the treasury to cause the several instalments, with the interest thereon, payable to the United States in virtue of the convention with France, to be received from the French government and transferred to the United States in such manner as he may deem best, and the nett proceeds thereof paid into the treasury, it was determined, after having obtained all the information necessary to a decision, to accomplish these objects by drawing on the French government, and disposing of the bill on the best terms that could be obtained for cash.

This course was deemed most advantageous to the interests of the claimants, as it would save the expense of commission which would otherwise have to be paid out of the fund, and as it would be free from all the risks of intermediate agencies. For this purpose offers were invited and many made. The highest price for the bill however was offered by the bank of the United States, being $1 for 5f. 37½ centimes. A bill was accordingly drawn by the secretary of the treasury upon the French minister of finance in favor of the bank of the United States, and the proceeds, being $903,564 89, were at the same time placed to the credit of the treasurer on the books of the bank. By the convention, the amount of the instalment was payable at Paris on the 2nd of February last; and as the bill was not drawn until the 7th of February, after the instalment was due, it was made payable at sight.

It is understood, however, that when the bill was received at Paris, no appropriation had been made by the chambers for the payment of the instalment, and it is believed to be owing altogether to that circumstance that the bill was not paid on presentation. The French government, it is not doubted, will promptly admit the right of the United States to be indemnified for any loss sustained by the non-payment.

Though notice has been given to the treasury by the bank that the bill has been protested for non-payment, it is not understood that it has yet been returned to the United States. The rumor of its having been paid by Messrs. Hostenguer & Co. is, probably, true, but if paid by them, whether it has been for the accommodation of the bank, or at the instance of the French minister or that of the American charge d'affaires at Paris, is yet to appear.

It will be recollected that at the last session, congress authorised the secretary of the treasury to lend these instalments on interest, upon a pledge of the stock of the United States, or of the bank of the United States, or to the bank of the United States. The secretary accordingly invited proposals for borrowing the proceeds of the first instalment, either by the bank itself, or by others on the pledge of its stock at par, it not being deemed advisable to invite an offer on the pledge of the United States stock, as that would withdraw it from the market, and thus place it beyond the reach of purchase by the commissioners of the sinking fund. It is understood that proposals were received for a part only of the proceeds—and in consequence of an objection being made by a highly respectable part of the claimants to the money being lent on such security, no decision had been finally made, and the amount of the proceeds of the bill has therefore remained *in the bank until this day*.

*From the New York Commercial Advertiser, of May 2.*

We have some amusing information to communicate, touching the French indemnity for spoliations upon American commerce, and the comparative credit abroad of the government, and the bank of the United States. It will be recollected that near the close of the late session of congress, an act was passed requiring the secretary of the treasury to invest the moneys to be received under the French treaty of indemnity, in the stocks of the bank of the United States. This act, however, as will appear in the sequel, was at least unnecessary—if the government is to act upon the principle of the excellent Mrs. Glass, who, in her directions for cooking a turbot, commences by saying—"first catch a turbot." In other words, it appears that there is no money forthcoming, just at present. Of the emptiness of Louis Philippe's treasury, however, or of his indisposition to meet his engagements, Mr. McLane seems not to have been aware; and having literally "scraped" the bottom of the treasury, as was remarked by a member of congress at the close of the session, his only means of partially replenishing it was through the assistance of the much abused United States bank. For this purpose the bank, to accommodate the secretary, purchased a draft upon the French government, of about a million of dollars, being the amount, as we understand, of the first instalment which France was to pay on the first of February. The bank remitted the bill to the Barings, by whom it was sent over to Paris for payment. But the French government refused to honor the draft, and the bill was protested! The French bankers, however, for the honor of the bank of the United States—not of the government, be it understood—came forward in this emergency, and took up the bill! The reason assigned by the French ministers, as we are informed, why the bill was thus allowed to be dishonored, was, that the chambers have as yet made no appropriation under the treaty. But this is not all, if rumor speaks true. The public have witnessed the clamors raised by the opponents of the bank, against the act requiring the secretary to invest the funds supposed to be coming from France, in the stock of the bank of the United States. Their object was to decry the stock in every possible shape, so that by depressing its value in the market the Jackson speculators could purchase to better advantage in compliance with their contracts to deliver stock ahead. The unshaken confidence of congress in the soundness of the institution, however, operated severely against them, and their wits have been taxed in every possible shape in devising fresh schemes of frightening stockholders into the market with their scrip. The last of these devices, as the report goes, was to get up a memorial to the secretary of the treasury, signed by such Jackson claimants under the French treaty as could be found, protesting against the investment of the money in the stock of the bank, and praying Mr. McLane to disregard the act of congress, on the ground that the funds if invested in the bank would be insecure. A paper of this kind, it is said, was circulated in Philadelphia last week, and perhaps elsewhere. And it was just at this crisis in the movements of the opponents of the bank, as we learn, that the news above mentioned was received from the Barings, viz: that no funds were coming from the French—at least for the present; that the draft of our government had been dishonored; and that it was owing to the sound credit of the bank of the U. States, and not of the government, that an individual banking house in Paris had come forward, as above stated, to sustain our credit. The bank here having advanced the money to the treasury, must of course be reimbursed, to refund the foreign banker, and the treasury is but poorly prepared for the exigency. Under these circumstances, we cannot but admire the position in which the protesting French claimants have thrown themselves, by this last partisan attempt to injure the stock of the bank. *Query:* will not the government, as the drawers, be compelled to pay the damages to the bank, accruing on the protested bill? At twenty per cent. here will be a neat little item of loss to the government, and a gain to the bank of nearly two hundred thousand dollars. "The administration is in a blaze of glory."

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P. S. The preceding article was written for last evening's paper, but was excluded for want of space. Since penning it, we have ascertained that a paper similar to that mentioned above, was circulated in Wall-street a short time since. It was not addressed to the secretary of the treasury—the proper officer in the premises—but "*To general Jackson*"—praying him to interpose and prevent the lending of the money to come from France, to individuals, on the pledge of stock *at par*—but not objecting, as we understand the case, to the loaning of it to the bank itself. It was believed, however, to be a stock-jobbing attempt to depreciate the scrip of the bank. But France has taken care that the claimants shall lose nothing by investments in the bank this year!

—

The *Paris Constitutionel* of the 23d of March has this statement:

It will be recollected that the French ministry fixed at twenty-four millions the amount of the claims of the United States of North America for vessels seized and sold under the republic. The government has not hitherto ventured to present to the chambers a treaty so disadvantageous to France. But the government of the United States has taken the ministers at their word, and it is affirmed that it yesterday caused a bill of exchange for four millions to be presented by M. Rothschild, and that the treasury caused it to be protested. It is added that M. Baguenault, who endorsed it, has paid the amount to M. Rothschild. This is a serious affair, for we much doubt whether the chamber will ratify in 1833, a treaty which the government of the restoration never would sign.

This paragraph presents the question in a new aspect. We think the Constitutionel must be mistaken. Surely the French chamber will not fail to make the proper appropriation. But if it does refuse what next? [*Phil. Inq.*

## THE ASSAULT UPON THE PRESIDENT.

*From the Alexandria Gazette, May 7.*

An incident of a most painful nature occurred on board the steamboat Sydney, as she stopped here on her way down, yesterday. An assault was made upon the *president* of the United States by Mr. *Randolph*, late of the navy. At the first blow, we understand, almost a hundred arms fell upon the assailant, and he was with difficulty rescued and carried on shore. We have never known more excitement nor more feeling to be manifested by all our citizens. We are induced to mention this matter, which ought indeed never to be published, only because we know that reports of it will be circulated throughout the country, and printed elsewhere. It was an affair of a moment; but it is said, that, from the feeling produced, it is wonderful that the assailant escaped with his life.

So great was the public indignation at this outrage, that we believe almost any measure would have been adopted to express it. The president was naturally highly excited and exasperated. He departed amidst the cheers and good wishes of the great crowd which had assembled.

In the confusion of the moment, no attempt was made to arrest Mr. Randolph on the instant; but, the court being in session, he was immediately presented by the grand jury, and a bench warrant forthwith issued for his apprehension.

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*From the "Globe" of May 7.*

A gentleman just arrived from Alexandria gives the following account of an atrocious attack upon the *president* of the United States, as he was on his way to Fredericksburg, where he had been invited to lay the corner stone of a monument about to be erected to the mother of Washington.

"The steamboat Cygnet, [Sydney,] in which the president and several members of the cabinet, accompanied by many other gentlemen, were going to Fredericksburg, stopped on her way for a few minutes at Alexandria. Many persons from the wharf came on board, and among them Mr. Randolph, late a lieut. in the navy. He made his way into the cabin, where the president was sitting reading a newspaper; and, advancing towards him, as if to address him, began to draw off his gloves. The president not knowing him, and supposing it was some person about to salute him, and seeing him at some difficulty in getting off his glove, stretched out his hand towards him, saying "never mind your glove, sir." Randolph, having then disengaged himself from his gloves, thrust one hand violently into the president's face, and before he could make use of the other, received a blow from a gentleman standing near with an umbrella. Almost at the same time two other gentlemen in the cabin sprung upon him, and he was pulled back and thrown down. The moment he was assaulted, the president seized his cane, which was lying near him on the table, and was forcing his way through the gentlemen who had crowded round Randolph, insisting that no man should stand between him and the villain who had insulted him: that he would chastise him himself. Randolph, by this time, had been borne towards the door of the cabin, and pushed through it to the deck. He made his way through the crowd on the deck and the wharf, being assisted, as is believed, by some ruffian confederates, and made his escape. He stopped for a few minutes at a tavern in Alexandria, and passed on beyond the district line. The grand jury, then in session, in a few minutes found a presentment against him, and the court issued a bench warrant. A magistrate had just previously issued a warrant; but before the officers could arrest him, he was gone."

*From the Alexandria Gazette of May 8.*

☞We are requested to say, that the term "blow," used in reference to the recent assault upon the president, was not correct. It may be well to say also, here, that the remark made in the Globe, relative to "ruffian confederates," is entirely erroneous. As far as we are able to learn, not a human being knew of the assailant's intention, and he was hurried from the deck of the boat, by gentlemen present, to prevent his being killed upon the spot, and not with any design of assisting him in an escape.

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In the REGISTER of the 27th ult. page 136, we inserted a notice from Mr. *R. B. Randolph*, late lieutenant in the navy, announcing that he had been dismissed, "after twenty-three years arduous service," though a court of inquiry had acquitted him "both as an officer and a gentleman" of certain charges which had been preferred against him, as a "public defaulter." And on Monday last, (the day of his assault on the president, but previous to making it), he caused to be inserted in the "Alexandria Gazette," an address to the public, which it now seems required of us to copy, as due to the extraordinary outrage stated above. We have followed the lead of the "National Intelligencer" in omitting a few lines, or words, of Mr. Randolph's address, for the simple reason—that their insertion would impose upon us the necessity, perhaps, of opening a controversy between individuals that would be profitless—in the present circumstances of the case. The lines or words omitted are rather of a personal character, than useful to Mr. Randolph's vindication of his conduct.

*From the Alexandria Gazette of May 8.*

TO THE PUBLIC.

*Robert B. Randolph*, late lieutenant in the navy of the United States, having recently announced his dismission from the service by the president, will now undertake, for the information of his fellow citizens generally, and of his late associates attached to the navy, to expose the circumstances which have led to this catastrophe.

In the spring of 1828, John B. Timberlake, purser of the U. S. frigate Constitution, died at Port Mahon, from the effects of derangement, in a fit of which he had unfortunately maimed himself, by cutting his throat. Commodore Patterson, then commander of the frigate, directed me, verbally, to assume the duties of acting purser, as the successor of Mr. Timberlake. About to become the recipient of the money, slops, and other effects belonging to the United States, which were left by my predecessor, it was not my duty to count the money, or take an inventory of the effects. Common sense might teach any one that the counting of the money, and surveying the effects, devolved upon others, before I could be made responsible. I participated in neither.

It has been testified, however, by captain Patterson, that he gave verbal orders, to his first lieutenant to cause the money to be counted, and an account taken of it to be delivered to me; and also to designate three officers of the ship, to make an inventory of all the public effects, before they should be delivered over. Captain Patterson has further deposed, that lieutenant Valette, the gentleman to whom these verbal orders were given, reported to him that all had been done as commanded. But the persons named by lieutenant Valette, as those designated to perform the duties before mentioned, disclaim their appointment, and positively assert that they had no agency in making an inventory, or counting the money, and never had any knowledge of the money or effects left by Mr. Timberlake, except from hearsay.

These strange discrepancies in the evidence of gentlemen, made under the obligations of their oaths, necessarily called for the minutest examination by the court and my counsel; when, at length, it was positively ascertained that there had been no inventory taken of the public property; as captain Patterson countermanded his own order to that end, upon the representation to him, by lieutenant Vallette, that the slops and stores were so situated as to render it very inconvenient to make an inventory thereof. The survey was postponed by order of captain Patterson, until after the arrival of the Constitution at the navy yard, Charlestown, Massachusetts; when all the slops and stores were, by order of captain Gallagher, surveyed and turned into the navy store, and receipted for by Mr. Bates, the navy store-keeper on that station.

So much for the reported inventories made at Port Mahon, by orders of captain Patterson. Here the investigation concerning the *mysterious* inventories, which from the beginning had existed only in fiction, might be terminated, but for the evidence of captain Patterson, before the court of inquiry, who swore that when the Constitution came near the light house, and before the survey took place in the navy yard at Charlestown, he inquired of me, whether I had forwarded to the fourth auditor, duplicates of the inventories of these same slops and stores, and received an affirmative answer! The reader has seen, above, that no inventory had before been taken, and this with the knowledge, and in pursuance of the orders, of captain Patterson himself. It is scarcely worth while to waste one word more on this subject. How captain Patterson could imagine that I had transmitted to the fourth auditor duplicates of inventories never made—or how I could answer in the affirmative, never having heard or seen any such inventories, I leave to every one to conjecture. It surpasses all my logic. Such, however, it will be

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seen, in the president's letter of dismission, (A) is the testimony on which he has arrived at the decision, that I am unworthy of the naval service of this republic! * * * *

Had the president been actuated by correct motives, influenced by the proceedings and judgment of the court of inquiry, and sought information from the books and vouchers in the navy department, he must have come to other conclusions. * * * * I may, however, put up with my share of his denunciation, when in the same scrawl he stigmatizes the integrity and intelligence of the late court of inquiry in my case, composed of officers not surpassed in character and respectability by any in the service of the country.

With any slops that might have been on board when Timberlake died, I am wholly unacquainted. For some time before his death, and until the day of his interment, Norman and Norris, Timberlake's clerks, had charge of all the slops which had been open for the use of the crew. What they must have issued, I had no means of knowing. It having been determined by captain Patterson, that the slops and public stores in the hold, and other departments of the ship, should not be disturbed, I obtained, and receipted to our consul at Port Mahon, Mr. Ladico, for a small amount of slops, which have been fully accounted for with the government. During the inquiry concerning my slop account, the court were of opinion that I had a credit for the amount of $178 in slops not belonging to my parcel. I did not feel disposed to dispute with my judges on so small a matter; and therefore, in forming my account current for the consideration of the accounting officers, I admitted that charge, although perfectly ignorant of any mixture of my slops with any remnant of those of my predecessor. Thus were closed, gratuitously on my part, any claims which the government might have on me for their slops left by Mr. Timberlake, if any there were. In view of this miserable remnant, however inconsiderable, supposing it actually to exist, the president, in his peculiar candor and magnanimity, designated the slops and stores turned into the navy store at Charlestown, as the property of the United States, "*some stores* which were stored away under the ship's provisions," amounting in all to more than three thousand dollars! some stores in comparison with the enormous quantity supposed to have cost $178!

In relation to the slops and public stores, it will be seen that the president recites "that verbal orders were given, directing an inventory to be taken according to law," without intimating by whom given, or to whom given, leaving room for the inference that the *laches* is imputable to me. That it may be seen how accurately the president has interpreted the law, screening the guilty, and impugning the innocent, I here insert two extracts, Nos. 14 and 15, from the rules and regulations for the naval service of the United States, under the head "of stores and provisions." viz:

14. "On the death of an officer having charge of stores, his public papers shall be separated from those of a private nature, the former to be forwarded by a safe conveyance to the fourth auditor, and the latter, together with his private effects, to be put in charge of such officer as the captain of the ship may appoint for that purpose, to be preserved for the benefit of the legal representatives of the deceased, unless, from particular circumstances, the captain shall deem it advisable to dispose of them at public sale; in which case a duplicate of the inventory, with an account of the disposal or sale, shall be transmitted to the fourth auditor of the treasury.

15. "If an officer having charge of stores, should, from any accidental circumstances, be separated from his ship, the captain shall proceed to survey and ascertain the state of the stores, as though such officer were actually dead or discharged; and he shall, as in a like case, appoint another officer to act in his place, giving the earliest intelligence of his proceedings to the fourth auditor of the treasury."

So much of the rules and regulations as I have here inserted, consist especially of instructions to CAPTAINS, and they are now produced to show to the people, and my late brother officers, how unjustly and tyrannically the president has acted towards me, while he suffers the negligent and guilty captain to remain in command of a squadron in the Mediterranean. It is somewhat unintelligible to any one not conversant with the history of my case, that there should be a motive with the president to harass and degrade me, who acted in all this affair in a subordinate capacity, and by the commands of captain Patterson.

With respect to the small stores on board belonging to Mr. Timberlake, the explanation is short and simple. Mr. Timberlake died indebted to Mr. Norman, his clerk, something more than six hundred dollars, and before his death expressed a desire to secure him out of his small stores. He directed Norman to make a schedule of them, that he might assign them to him; but before the article could be prepared, he grew so ill, that he was unable to execute it. Captain Patterson, knowing the wishes of Mr. Timberlake, requested me to execute the arrangement for Norman's benefit, as if it had been completed by him before he sunk into the arms of death. These stores were sold at auction by order of the secretary of the navy, and out of the proceeds I satisfied the claim of Norman within a very few dollars. This is a simple and true account of a transaction upon which the president attempts to fix upon me an interference with the estate of Timberlake. Nothing but the most hideous obliquity could have so distorted his poor blind vision.

I have now done with Mr. Timberlake's slops and small stores; having no more agency in their disposition than that above stated, and which is matter of record, as the minutes of the proceedings of the late court of inquiry will abundantly prove, and which, according to the letter of Mr. Woodbury below (B), had been examined and returned by the president without disapprobation.

I shall, in the sequal, tax the reader with a history of the money left by purser Timberlake on his demise. The amount was reported to me, by those who counted it, to be 11,483 dollars, of which I immediately made a memorandum. This memorandum I voluntarily delivered to the court, to save all fruitless inquiry about the money, having no motive to conceal the truth. My first impression was to charge myself with that sum —open a new account with the government, and at my risk disburse it in the service. This was positively prohibited by capt. Patterson, and as peremptorily was I commanded to disburse it on the books of the late purser. I implicitly obeyed; and in paying his rolls, and discharging the outstanding debts to the 31st March, 1828, exhausted the last dollar; inasmuch, that, with the permission and approbation of the commander of the Constitution, a thousand dollars were borrowed of the Dutch consul, to enable the ship to depart in credit from Port Mahon. All the vouchers taken for the payments, upon Timberlake's books, and of his outstanding debts, made out of the aforesaid $11,483, were turned in with his books and papers for the benefit, or rather the benefit of his estate; for all which he has received full credit, while I, who performed this task, by order of my superior, without emolument or compensation, have been denied the credit of a single dollar, in the very face of the judgment of the late court of inquiry, and the records of the files of the department.

With the sanction of Mr. Woodbury, I had access as well to my own accounts as to those of the late purser; and I presented for the consideration of the accounting officers an account current, covering the whole sum which came into my hands, every item of which is supported by a legal voucher, precisely as if the account had been originally mine. The two accounting officers did not deign to ask or receive the slightest explanation; but rejected the whole as inseparable in any particular. Upon their iniquitous report, the president acted; having, as I believe, never seen one of the vouchers. Upon such a report, he charges me with presenting an account current, composed, *in a "great" degree*, of items which have notoriously passed to my credit, or are unfounded and frivolous. A more bare-faced scandal was never penned, alike unmerited by me, and unworthy of the chief magistrate of the United States.

Below will be found my account with the government in settlement of its new claims upon me (C), and I shall now wait two events—a suit at law, which I fearlessly challenge, and the meeting of congress, to which I shall appeal. In the mean time, I claim, for the defence of my honor, and protection of my dear bought fame, a generous interposition of all my late brothers in the service, no one of whom will have heard of the high handed oppression with which I have been assailed, without the deepest grief. I know they will bear testimony in my favor, even at the risk of an odious inquisition. * * * * * * * * * If there be not honesty and firmness enough in the officers of the treasury department, to investigate the state of this concern, I will take it upon myself to bring it to an issue.

R. B. RANDOLPH, *late of the U. S. Navy.*

(A.)

The president of the United States has carefully examined the proceedings of the court of inquiry, charged with the investigation of the conduct of lieutenant Robert B. Randolph in connection with his account as acting purser of the frigate Constitution.

It appears by the evidence of commodore Patterson, commander of the ship, that upon the death of purser John B. Timberlake, at Port Mahon, on the 2d day of April, 1828, lieutenant Randolph was appointed acting purser; and that verbal orders were given directing an inventory to be taken according to law of all the money and stores, public and private, left by the said Timberlake, which were about to pass into the possession of the acting purser; and that it was reported this duty had been performed with the exception of some stores which were stowed away under the ship's provisions, she being nearly ready to sail for the United States.

It appears by the same testimony, that when the ship arrived near the light house at Boston, commodore Patterson inquired of lieutenant Randolph, whether the inventories of the money and property left by Mr. Timberlake, had been sent to the fourth auditor of the treasury, and was answered in the affirmative.

Nevertheless it appears by the evidence of those who were directed to take the inventories, that although the money was counted, no inventories of the stores were taken, and by the records and files of the fourth auditor's office it also appears, that no account, either of the money or stores, was furnished to that office by lieut. Randolph, or any other person.

It further appears, that in the settlement of his accounts at the office of the fourth auditor, lieutenant Randolph neither charged himself with any portion of the money or stores left by Mr. Timberlake, nor gave any intimation that any had come into his possession.

It further appears, that after lieut. Randolph had completed the payment of the ship's company on her arrival in the United States, he had left of the public money put into his hands for that purpose, upwards of $20,600, of which, upon the settlement of his accounts, he returned into the treasury a little more than

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$10,000, applying the rest to his own use, and that he refused to state in his defence before the court of inquiry, in what manner this surplus of funds had accrued.

It further appears, that in the year 1829, having arrived in the United States in July, 1828, and his accounts having been settled in October of that year, lieutenant Randolph paid to Thomas Norman, $600 of the funds remaining in his hands on account of purser Timberlake, proving that he was not ignorant of the fact that all those funds had not been accounted for in his previous settlement with the government.

It farther appears, that the accounting officers of the treasury were ignorant of the money and stores left by Mr. Timberlake, until an unaccountable default exhibited in the settlement of his accounts, led to inquiry into the means by which it had been produced; and when, in the course of that inquiry, it was ascertained that money and stores left by him had come into lieut. Randolph's possession, the latter, when called on, refused to state the amount, or render any account of them, although he acknowledged that he had a memorandum of the amount of the money, indulging in passion and threats unbecoming an officer of the navy, and not to be expected from a man of conscious integrity.

Considering these things so clearly established by the testimony, the president cannot approve of so much of the finding of the court as declares, "it does not appear that lieutenant Randolph said any thing with an intention to mislead or deceive the commanding officer, in relation to taking of inventories of articles left by Mr. Timberlake, or of the disposition made of them;" nor can he approve of the opinion expressed by the court, "that the before mentioned neglect of lieutenant Randolph, and the irregularities in his manner of performing the duties of acting purser, and in keeping and making out his accounts, did not proceed from any intention to defraud the United States or Mr. Timberlake."

These conclusions, in the opinion of the president, are incompatible with lieut. Randolph's failure to charge himself with the money and effects of Mr. Timberlake, with the misinformation given by him to commodore Patterson in relation to sending the inventories to the fourth auditor—with the appropriation to his own use, before the settlement of his accounts, of near ten thousand dollars of the money sent to him at Boston to pay off the ship's company, showing that he had an accurate knowledge what would be the result of that settlement—with his payment of $600 to Mr. Norman after the settlement of his account, which is a confession of his knowledge, that he had retained money belonging to the United States or to Mr. Timberlake—with his refusal to give information in relation to the money and property left by Mr. Timberlake as he was bound to do, as purser of the navy, by law—and with the manifestation of excitement and the violent language used by him when called upon for explanations.

And finally, instead of coming forward and correcting the errors of his account which have been developed by the court of enquiry, and returning into the treasury the $4,303 11—which that court after liberally admitting every claim advanced by him with a show of evidence, find to be still in his hands unaccounted for, he has presented to the accounting officers of the treasury an account current, composed in a great degree of items which have notoriously passed to his credit, or are unfounded and frivolous, showing a balance of about $600 in his own favor against the United States, thereby evincing a determination not to refund any portion of the money which he has improperly applied to his own use, if it be possible to avoid it.

In the opinion of the president, the facts which appear in this case, and the conduct of lieut. Randolph throughout the investigation, prove him to be unworthy the naval service of this republic, and an unfit associate for those sons of chivalry, integrity and honor, who adorn our navy. The secretary of the navy is therefore directed to dismiss lieut. Robert B. Randolph from the naval service of the United States.

And the president trusts that the most efficient means will be resorted to by the navy department to prevent in future that total neglect and disregard of the rights of deceased officers and their families which form striking characteristics in this case. ANDREW JACKSON.

*April 18th*, 1833.

(B.)

*Navy department, January 24th*, 1833.

SIR—The court of inquiry in relation to your conduct having closed its sessions and made a report to this department on the questions submitted, I seize an early opportunity to apprise you of this fact, and of the completion by the president of an examination of that report.

The whole proceedings are on file for your inspection at any convenient time, and a copy may be taken if desired.

Among other things the court find that—

"Lieutenant Randolph has received public property with which he has not charged himself, and for which he has never accounted to the government, as follows, viz:

| | |
|---|---|
| Cash left by Mr. Timberlake, | $11,483 00 |
| Slops left by Mr. T. which cost | 178 75 |
| | $11,661 75" |
| They further find, that you paid from the same, sundry sums, amounting, in all, to | 7,358 64 |
| "Leaving still to be accounted for | $4,303 11" |

After so long a delay since the receipt of the above money, it is hoped your immediate attention will be given to the adjustment of it, with the proper accounting officers of the treasury.

Respectfully yours, LEVI WOODBURY.

*Lt. R. B. Randolph, Alexandria, D. C. care of Mr. Cummings.*

(C.)

*The United States in account with lieut. R. B. Randolph, late acting purser of the U. S. frigate Constitution, Daniel T. Patterson, esq. commander.*

| | |
|---|---|
| 1828. Dr. | |
| March 31. To this amount paid officers, as per list rendered | $3,431 75 |
| To this amount paid discharged men, as per pay roll, | 3,241 69 |
| Orfila's bill | 2,259 50 |
| Ration money to boys, waiters and cooks | 1,226 36 |
| Private bills of Md. Mower | 98 84 |
| Bill of G. T. Ladie | 160 57 |
| Norman's claim | 600 00 |
| Commissions on 11,483 dollars | 292 07 |
| Arrears to John Ternanders | 320 00 |
| Hospital on account of Md. Mower, by order of surgeon | 10 00 |
| My per diem, for attendance on the orders of the secretary of the navy, as per bill rendered | 1,422 00 |
| 1 month 18 days pay, and rations to 18th April, 1833 | 119 90 |
| | $13,181 98 |
| 1828. Cr. | |
| April 3. By cash left by the late purser, John B. Timberlake, | $11,483 00 |
| By small stores assigned to Norman | 600 00 |
| By slops charged by the opinion of the court, and by me admitted, without any knowledge of the facts | 178 00 |
| | $12,261 00 |
| Balance due R. B. R. | 990 98 |
| | $13,181 98 |

[COPY.]

No. 7,428—7,312

*Treasury department, fourth auditor's office, Oct. 27*, 1828.

I certify, that I have examined and adjusted the account of Robert B. Randolph, acting purser of frigate Constitution, and find that it is closed as appears from the statement and vouchers herewith transmitted for the decision of the second comptroller of the treasury thereon. T. WATKINS, *auditor*.

*To the second comptroller of the treasury.*

*Second comptroller's office.*

I admit and certify the above balance, this 9th day of January, 1829. RICHARD CUTTS, *second comptroller*.

*Treasury department, fourth auditor's office, May* 25, 1832.

Pursuant to "an act to provide for the prompt settlement of public accounts," approved 3d March, 1817, I, Amos Kendall, fourth auditor of the treasury of the United States, do hereby certify, that the aforegoing is a true transcript from the original report on file in this office. AMOS KENDALL.

(E.)

*Alexandria, Dec.* 23*d*, 1830.

SIR: Twelve months have elapsed since the subject of my accounts, and the various controversies growing out of them, have been brought to an issue between the fourth auditor and myself. Serious charges, implicating my personal integrity and official character, have been promulgated to the world upon the authority of the auditor. You will readily concur with me in opinion that it is desirable that this matter shall be terminated, and my own sense of what is due to myself, imperatively enjoins upon me the duty of asking for some proceedings which may either fix upon me the imputed guilt, or honorably relieve me from this state of painful suspense. I am ignorant whether I stand charged upon the books of the department with any moneys which remain to be accounted for; if I am, I pray that I may be apprised of them, as well as of any description of charge which stands against me.

Peculiar circumstances in my situation make me solicitous upon this subject; and will, I trust, afford me an ample apology for the present application to you. I have the honor to be, with unfeigned respect, your ob't serv't, R. B. RANDOLPH.

Hon. *John Branch*.

(F.)

*Navy department, Dec.* 27*th*, 1830.

SIR: Your letter of the 23d instant has been duly received. In reply, you are informed that a court of inquiry shall, agreeably to your request, be ordered, at as early a day as the public interest will permit, and of which you will be duly informed.

I am, very respectfully, &c. &c. JOHN BRANCH.

Lieut. *Robert B. Randolph*, of the U. S. Navy.

(G.)

*Navy department, May* 4, 1832.

SIR: A court of inquiry in your case has been ordered, and will be held at the navy yard, Charlestown, Massachusetts, on Monday, the 4th day of June next.

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This will give to you the longest time for preparation practicable, before the supposed sailing of the United States frigate from New York, in which vessel some of the witnesses are now under orders to the Mediterranean.

As other witnesses reside in Boston, whose attendance elsewhere would be highly inconvenient, and as you have declined waiving the personal attendance of any witnesses, the court has been ordered to sit in that neighborhood.

It will be composed of the following named officers, viz: commodore Charles Morris, as president; masters commandant Thomas H. Stevens and Joseph Smith, members; and Henry M. Morfit, esq. judge advocate. I am, respectfully, sir, your obedient servant, LEVI WOODBURY.

Lieut. *Robert B. Randolph*, U. S. Navy, Alexandria, D. C.

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TOWN MEETING AT ALEXANDRIA,

*On the outrage committed on the president.*

At a public meeting of the citizens of Alexandria, held at the market square, on Tuesday, the 7th of May, 1833, agreeably to public notice, *Bernard Hooe*, esq. the mayor, was called to the chair, and on motion, *Charles Neal*, esq. appointed secretary.

The mayor having briefly explained the object of the meeting, Thomson F. Mason, esq. in an eloquent and animated address, embodying the purport and amplifying and illustrating the principles of the following resolutions, offered them to the consideration of the people assembled in the public square; and the resolutions were severally and unanimously adopted.

*Resolved*, That the citizens of the town have learned, with mingled sentiments of regret and indignation, that a flagrant violation of the public peace, and of the sanctity of the laws, was yesterday committed on board the public mail boat, whilst lying at our wharves, by Robert B. Randolph, on the person of the president of the United States.

*Resolved*, That whilst despotic governments, resting on principles of fear, have been necessarily sustained and protected by force, and in the milder forms of monarchical governments, though in some degree distinguished by greater security to the persons of their chief executive officers, it has nevertheless been thought necessary to surround them with armed guards; it has heretofore, been the proud boast of our republican institutions, that obedience to the constituted authorities, was upheld by a sacred reverence for the public will—and that the moral force of public opinion, alone, spread a panoply of defence arond the person of every officer in the discharge of his official duties more enduring and certain than the array of armed men.

*Resolved*, That in the outrage which has been committed, the principles of our free institutions have been violated; and that in the manner and circumstances of its perpetration, there is nothing found to extenuate it or allay the feelings of an injured and indignant people—that in the history of our country, it is the first time within the knowledge of this people, that an attempt has been made to gratify a personal vengeance—for the results of an high official act—and this blow at the fundamental principles of our institutions has been struck by an arm to which had once been confided the high trust of upholding the flag and defending the character and honor of his country!

*Resolved*, That this outrage on the dignity of the people, in the person of their chief magistrate, calls for a general expression of public indignation.

*Resolved*, That the chairman be requested to enclose a copy of the proceedings of this meeting to the president of the United States, and also cause them to be published in the newspapers of this town.

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FROM THE "GLOBE"—SUBSEQUENTLY PUBLISHED.

*Extract from the report of the fourth auditor to the secretary of the navy, in relation to the accounts of John B. Timberlake, and Robert B. Randolph. May 25, 1830.*

It recently occurred to me, that it might be ascertained with tolerable certainty what were lieutenant Randolph's receipts and payments from the 3d April, the time he assumed the pursership at Port Mahon, to July, the time of the ship's arrival at Boston; and again, from the ship's arrival to the settlement of his accounts. A minute investigation exhibits the following result, viz—

His receipts and payments before arrival, were as follows, as shewn by his account and vouchers, viz—

| | |
|---|---|
| Received in slops at Port Mahon | $742 50 |
| Received in cash at Gibraltar | 11,000 00 |
| Total receipts | $11,742 50 |

He is credited with payments to officers and men, disbursements in the Mediterranean, slops and stores issued, and slops returned to naval store, $20,729 98. Excess of payment over receipts, $8,987 48.

There was no known fund out of which this could have been drawn, other than Mr. Timberlake's money received at Port Mahon. But in addition to these payments, he paid for tobacco at Gibraltar, $148 72, little of which was sold to the crew, in consequence of its inferior quality; and a considerable sum for other stores. How much of this was replaced by issues of the same stores, the papers do not enable me to ascertain.

After arriving at the above result, I examined into lieutenant Randolph's receipts and payments after his arrival in Boston. The result exhibited a balance of receipts, over payments corresponding with the excess of payments over receipts before his arrival.

From these views of the subject, it was apparent to my mind, that lieutenant Randolph must have had left in bank at Boston, after paying off the crew, appropriating all his own commissions, compensation and expenses, and after returning into the treasury the amount found due from him on settlement, at least $10,000. At my request the secretary of the treasury applied for his bank account. The reply of the bank with lieutenant Randolph's account, is annexed, marked (26). It fully confirms my previous conclusions. It shows that, after lieutenant Randolph had finished all his payments, he still had left in bank $19,873 23. Before he left Boston, he drew out 9,873 23, of this sum, $718 06 in cash; $155 17, in a check on the Norfolk branch, and $9,000 in a check on the Richmond branch, leaving precisely $10,000 in bank. This, with $257 43 afterwards deposited, was all of the $19,873 23, which ever came into the treasury.

But a comparison of lieutenant Randolph's bank account with his account in this office, makes it apparent that he had during the progress of his payments, drawn out considerable sums on his own account. His account current, and abstracts from his pay roll, are annexed, marked (27). Had he deposited all the money he received in Boston, and drawn out none except for the payment of the ship's crew, the balance in bank would have exceeded $22,000. A careful examination of all the accounts gives the following results; which I have no doubt are accurate within a few cents—

| | | |
|---|---|---|
| 1828, July 5, lieutenant Randolph received of the navy agent at Boston, in anticipation of a remittance, | | $1,500 00 |
| 12. Received the amount of $93,000 remitted, deducting the foregoing item, | | 91,500 00 |
| Received for Timberlake's stores, sold at auction, | | 607 21 |
| Received for dead men's and deserter's clothes sold, | | 41 09 |
| Total receipts at Boston, | | $93,648 30 |
| Whole amount paid officers and men at Boston, | | 71,394 49 |
| Surplus remaining on hand, $19,873 23, of which was in bank as his account shows, | | 22,253 36 |
| Of this sum there was returned into the treasury only | | 10,257 43 |
| Leaving in lieutenant Randolph's hands, | | $11,995 93 |
| Of this sum he has accounted for the following items, only, viz— | | |
| Expenses at Charlestown, | $90 00 | |
| Postage, | 2 07 | |
| Paid R. Calder, ps clerk, | 78 15 | |
| His own commissions allowed, | 2,967 42 | |
| Travelling expenses and per diem while settling accounts, | 107 40 | |
| His own pay on pay roll, | 262 89 | |
| His own pay for August and September, | 200 52 | |
| | | $3,008 45 |
| Leaving in lieutenant Randolph's hands *wholly unaccounted for*, after allowing all his pay, emoluments, commissions and expenses, | | $8,987 48 |

To this amount in cash, must be added, to ascertain what was really detained by lieutenant Randolph, the money on hand when the vessel arrived, the value of all stores on hand, deducting his profit on those sold to the crew, and any debts which might be due to him for money lent to other officers.

Is it possible that all this could have been lieutenant Randolph's money? By acting as purser less than four months did he make by means unknown,

| | |
|---|---|
| he make by means unknown, | $8,987 48 |
| By commissions, | 2,967 42 |
| By lieutenant's pay, | 262 89 |
| In all, | $11,217 79 |

And in addition to this, an unknown amount in store and other things, which do not enter into his public account.

These facts admit of but one construction. Most of Mr. Timberlake's money was paid to the officers and men, or vested in stores, before the ship arrived in the United States. Lieutenant Randolph took a credit for these payments in his settlement. Having called for money enough to cover them he had their exact amount left on hand, after paying the crew, and transferring to the treasury the balance found due from him. This was sufficient to enable him, after meeting all demands of comfort, pleasure and friendship, to carry home a considerable sum in money, besides a check for $9,000

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*Extract from a record of proceedings of the court of inquiry in the case of lieut. R. B. Randolph, Friday, 18th Jan. 1833.*

The court met, pursuant to adjournment; present as yesterday: the last day's proceedings were read and the court then, after deliberation, agreed upon the following opinion:

First, that lieut. Randolph has received public property with which he has not charged himself, and for which he has never accounted to the government, as follows, viz.

| | |
|---|---|
| Cash left by Mr. Timberlake | $11,483 00 |
| Slops left by Mr. Timberlake which cost | 178 75 |
| | $11,661 75 |

And that he has paid from the same the following amounts for which Mr. Timberlake has received or is entitled to receive credit by his final pay roll, No. 10, the following amounts, viz:

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| | |
|---|---|
| Amount paid to men at Mahon, discharged on pay roll, No. 10, on 31st March, 1828, | $3,241 69 |
| Amount paid to William Prince, and credited on same roll to Mr. Timberlake | 315 00 |
| Amount paid to officers and credited on the same roll | 1,442 45 |
| By amount paid for ration money to officers' boys, credited on the same roll | 100 00 |
| And by a further amount paid to a taylor named Orála for articles made by order and for the benefit of Mr. Timberlake, whose bill is receipted as though paid by Mr. Timberlake | 2,259 50 |
| | $7,358 64 |
| Leaving still to be accounted for | 4,303 11 |

And further, that lieutenant Randolph received of the small stores left by Mr. Timberlake to the value of $600 00.

And that he paid to Thomas Norman, after his return to the United States, a sum stated to have been due from Mr. Timberlake at his death to the said Norman, amounting to the sum of $600 00.

That lieutenant Randolph's conduct in relation to his transactions as acting purser of the frigate Constitution was incorrect and censurable in the following particulars, viz:

In assuming the responsibilities and commencing the duties of purser, and taking charge of any of the property and effects left by his predecessor, before a proper order had been given for taking such surveys and inventories of the property left by Mr. Timberlake, as the regulations of the navy department required, and before such inventories had been duly taken and handed to him.

In not charging himself and crediting his predecessor Mr. Timberlake, in his accounts, with the amount of money and other articles left by the said Timberlake, of which he took possession, and which he expended as acting purser, and in not mentioning such receipts to the officers of the treasury, or at the time of settling his accounts.

In making payments and taking receipts for the same as though the payments had been made by Mr. Timberlake during his life, and thereby rendering it impossible to determine with accuracy the precise amounts which were respectively paid by Mr. Timberlake and by himself.

In not taking greater care to separate the articles left by his predecessor, and of which he did not assume the control and expenditure, from those of which he did assume the control, so as to prevent any of the former from being either issued or returned and passed to his own credit.

In returning into the navy store and receiving credit for linen or duck or slop clothing, when in fact it had not been purchased as such nor any part of the whole quantity originally purchased, had been issued or charged as slop clothing.

The court are further of opinion that the before mentioned neglects of lieut. Randolph and the irregularities in his manner of performing the duties of acting purser, and in keeping and making out of his accounts, did not proceed from any intention to defraud the United States or Mr. Timberlake.

The court are also of opinion that the amount of money left in the possession of lieut. Randolph when his accounts were leftat Washington in 1828, was so large that it ought of itself to have excited doubts in his mind as to the correctness of the accounts which he had rendered of the amounts which he had actualy paid on account of Mr. Timberlake, and to have induced some voluntary attempt on his part to procure a further investigation before the time when he was called upon by the present 4th auditor for explanations.

The court are further of opinion that the conduct and language of lieut. Randolph towards the second comptroller and the 4th auditor of the treasury was not intended by him to embarrass or intimidate either of them in the fair settlement of his accounts, but that the warmth or intemperance of his language was occasioned by his having adopted an opinion that they were disposed to treat him with injustice in relation to his accounts.

The court are further of opinion that lieut. Randolph had no agency, direct or indirect, in writing or causing to be written, any of the anonymous letters referred to in the precept, or that he had any knowledge of such letters having being written previous to their publication.

The court then adjourned until to morrow at 12 o'clock, meridian.

*Saturday, January 19*, 1833. The court met according to adjournment, present, all the members and the judges advocate.

The proceedings of yesterday were read and the investigation closed. (Signed)

C. MORRIS, *president of the court.*

HENRY M. MORFIT, *judge advocate.*

## THE PARDONING POWER.

We copy the following sound and pertinent remarks from the "New York Commercial Advertiser."

*Pardoning power.* A discreet exercise of this prerogative, is among the most difficult and delicate of the duties which the executive of this state can be called upon to perform. To the late governor, however widely we may have differed from him in politics, (and less widely we have reason to believe in principle and sentiment, than in association), we have ever accorded a prompt acknowledgement of firmness and independence in this branch of that department. It is gratifying to perceive that his successor seems inclined to follow his example. Of this we have recent proof. A young man by the name of George Dennison, was sometime since convicted of murder, in the county of Chenango, and sentenced to undergo the extreme penalty of the law. His case presents perhaps, one of strongest dissuasives from intemperance that can be urged. Dennison had applied to Mr. Hamblin Gregory, an innkeeper, for liquor—but was refused. Food was given him of which he partook, and said that it was better than liquor. But at a subsequent day, which was on Thursday the 27th September, he called for liquor again, and was again refused, when he threatened to shoot the landlord. On the Sunday evening following, he procured a loaded gun at the house of Mr. Howard, another innkeeper, living about half a mile from the first, with which he repaired to the tavern of Mr. Gregory, and shot his son, supposing it to be the father. The son, expecting to set out the next morning for Utica, had put on some of his father's apparel, which probably occasioned the mistake—for the murderer had no enmity against the former, nor even against the latter, except such as had arisen from the refusal to let him have liquor. The defence set up was insanity—but the evidence to support it was not deemed sufficient by the jury, and they returned a verdict of guilty. That the act was perpetrated by the prisoner no doubt could exist, and it was equally evident that it was done in that state of semi-consciousness or hallucination which is the frequent result of intoxication. After the rendition of the verdict he addressed the court, and without denying the facts that had been testified against him, he said:—

"It appears in evidence that I have taken from one of my fellow creatures that which I cannot restore; but let me tell you, as a dying man, that the circumstances which led to the commission of this crime, are a mystery to me. The whole transaction appears more like a dream than a reality; there is one circumstance in particular, that I have no knowledge of, which is, in relation to my eating supper at Howard's. There is no doubt but what I did eat there, but I do not remember of eating one morsel of food that day. I would, also, mention another fact in relation to the testimony of esquire Campbell, not that I would have you think I doubt his veracity, for I have not the least particle of doubt in my own mind but what he stated the facts precisely as he heard them from my own lips. He testifies that he asked me if I went directly from Howard's to Gregory's. He says the answer was, that I did. Now, gentlemen, I remember being at Howard's, and I also remember being at Gregory's; but don't know any thing about the manner in which I went there, for there are but a few rods of the ground that I have any recollection of. I do not hesitate to say that I have had a fair and impartial trial. According to the testimony, I think the jurors could render no other verdict than the one they have, with a clear conscience and in conformity to the laws of our country. While I meditate on this, I am sensible that I have not only broken and trampled upon the laws of my country, but have set at naught the dread law of my maker."

The plea of intoxication is no excuse for the commission of a crime. The community would not be safe were such a justification to be allowed; and we feel confident that the public will approve the course which has been taken by governor Marcy, in reference to this individual, as indicated by the letter already published.

## LAW CASES.

*Brief reports or notices of important or interesting things.*

INTEREST ON MONEY. Lord chief justice Ellenborough has laid down the rule of law with regard to interest clearly and concisely thus: "Interest ought to be allowed only in cases where there is contract for the payment of moneys on a certain day; or where there has been any express promise to pay interest; or where from the course of dealing between the parties it may be inferred that this was their intention; or where it can be proved that the money has been used and interest had actually made. A note of hand or promissory note, does therefore legally carry interest; tradesman's bills, where there are no special agreements, do not.

IMPORTANT TO PUBLISHERS. Bailie court of Edinburg, 25th of February, 1833. A. Deuchar, seal engraver, agent for the *British Herald*, vs. Thomas Johnson. Johnson was an original subscriber to the *British Herald*, which, by the prospectus, it was stated, would be published in four parts, price 21s. each. On the publication of the fourth part, it was announced that the work would extend to five parts, and the price of the whole to £5 5s. instead of £4 4s. The bailie held that the publisher was bound by his prospectus, and that the defendant was entitled to have the work complete for £4 4s. however many parts it might extend to. [*Glasgow Herald.*

TRAVEL ON THE HIGHWAY. *Bostwick and wife*, vs. *Champion and Evans.* This was an action against the defendants, who were two of the proprietors of the late pioneer line of stages. One of the drivers of the line, in passing a one horse wagon near Vermont, in the county in which Mrs. Bostwick was riding, struck the wheel of the wagon with the stage, and the same was upset, and Mrs. Bostwick seriously injured, so that she has been ever since confined to her house, a period of more than two years. A large number of witnesses were sworn on this cause, and great interest was excited. Mr. Bostwick had previously recovered a verdict at a former circuit for his own damages, $800; and this suit was brought to recover the

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damages, resulting from the personal injury to his wife. The cause was ably summed up to the jury by O. Hastings, esq. of Rochester, for the defendants, and J. A. Spencer, esq. of Utica, for the plaintiffs, and after a minute charge from judge Williams, the cause was submitted to the jury, who found a verdict for the plaintiff for *eight hundred dollars*.

[*Rome, Oneida co. Telegraph.*

*From the Worcester (Mass.) Yeoman.* James Reed recovered, before the supreme court of Greenfield, last week, $980 damages and $250 costs of the town of Northfield, for an injury sustained by the state of bad roads in that town. This is a salutary admonition to other towns to take heed to their ways.

*Caution to stage proprietors.* An action was brought by John O'Hanlan against Asa Hall, to recover damages for an injury received by the wife of the former, by the stage coach General Macomb, of which the defendant was owner. It appeared that in the absence of the driver, who was engaged in seeking passengers, the horses broke loose from their stand, and, in their course through Broadway, ran over Mrs. O'Hanlan, while crossing the street, knocking her down, and injuring her very severely. Judge Hoffman, in delivering his charge to the jury, gave an elaborate and clear exposition of the law in relation to furious and careless driving, involving the liability of stage proprietors. He observed that he was glad the present case had come before the court, as it would furnish an opportunity to make public the liabilities under which stage owners were bound. The corporation had passed a law regulating hackney coaches, by which it was rendered *penal for a driver to leave his box*, as was done in this instance. The owner must be responsible for the carelessness of those employed by him in the capacity of drivers. If drivers neglect their duty, a jury must measure out their punishment. The jury accordingly rendered a verdict for the plaintiff, fixing the damages at *four hundred and fifty dollars*, and six cents costs. [*N. Y. Advocate.*

*Another.* A jury in New York has returned a verdict of seventy-five dollars damages against the owner of a hack, for careless driving, by which injury was done to a wagon and a lady riding in it.

The judge in summing up the case made the following remark, which may be interesting to husbands, as it shows when they are personally and when jointly concerned in their wives misfortunes.

"The next question was, what is the rule in relation to an injury done to the wife? On this head, the law laid down by defendant's counsel was correct, viz: if the wife receives an extreme injury, by means of which she is confined for weeks or months, and her services are consequently lost, the husband could have no difficulty in recovering alone:—but if the injury were merely light or trivial, the action could not be sustained by the husband alone. If the services of the wife in the present case were lost at all, the jury must measure the period and estimate their damages accordingly."

[The law of the road seems about to be much better understood than it has been—and *impudent* or *careless* drivers of stages and other vehicles, or negligent public officers, will be more frequently "brought into court," (as they ought) than heretofore.]

Taking up a dead body. Among the proceedings of the court in Northampton county, Pennsylvania, reported for the Easton Centinel, is the following case:

*Commonwealth* vs. *Daniel Huntsman.* } Indictment for taking up the dead body of Hugh Pugh, in Stroudsburg.

The facts of this case were briefly as follows: Mr. Pugh had been buried some two years ago, but contrary to the custom of the congregation had not been placed in the same row with his friends, but in the burial row of the Hollingshead family. One of the said family deeming herself near her latter end, and anxious to be laid beside her deceased sister, to which arrangement the grave of Mr. Pugh, as then located, was an obstacle, employed the defendant to remove the coffin a few feet further off. This was accomplished without the knowledge of Mr. Pugh's friends, and as they alleged, with circumstances of carelessness and brutality—contending that the grave was very shallow, the coffin broken and placed in the grave on the side. The judge charged the jury, that taking up a dead body, and removing it with such intentions as evidently actuated the defendant in this cause, ought not to be considered an indictable offence. The jury found a verdict of not guilty.

Liability of directors of monied institutions. Vice chancellor McCoun has pronounced his decision in the case of William Scott and others, stockholders of the late National Insurance company, *vs.* Frederick de Peyster and others, president and directors of that institution. The circumstances of this case, growing out of the misconduct of Oliver G. Kane, secretary of the company, are no doubt familiar to our readers. The vice chancellor dismissed the bill, at the same time establishing the following important points.

1. That the directors of the National Insurance company violated the law by discounting notes amounting on an average to $290,000 per year—that they had no right to invest their capital in banking business, and by doing so they acted contrary to the charter of the company and the restraining act.

2. That directors, though they violate the provisions of law, by investing their capital in an illegal manner, and contrary to the provisions of the charter, are not to be held liable for any loss, provided they acted through mistake, and with no dishonest intentions.

3. That the directors of the National Insurance company are responsible, not for gross neglect merely, but for ordinary neglect, which is the want of that care which a man takes of his own concerns, and that on the pleadings and proofs in the cause, the loss of $179,000 out of a capital of $500,000 could not be attributed to the want of ordinary care.

It will be, perhaps, interesting to the public to hear that an appeal will be taken to this decision. [*N. Y. Cour. & Enq.*

Slander suit. A case of slander was lately tried in Troy, N. Y. in which Miss Achsah L. Clark was plaintiff, and John O. Martling, defendant. The trial lasted two whole days, and resulted in a verdict of $1,200 damages. It appeared in evidence that Mr. Elijah Wild, a very respectable young man of Troy, had become intimate with the plaintiff, while residing at the defendant's house, which intimacy was continued after changing his residence; and which finally resulted in a marriage contract between them, that was to be consummated on the first of May next. Martling, the defendant, wishing to retain Miss Clark in his employ, who was a very perfect and competent hand in the manufacture of toys, which was carried on by him, and knowing he could not, unless he could break up her intended marriage with Mr. Wild—saw Mr. Wild, advised him not to marry Miss Clark, telling him at the same time her character was bad, vary bad, and related certain circumstances to prove it. Before this slander was communicated to Mr. Wild, he was put under an injunction of secresy—the defendant thereby thinking to induce him to desert Miss Clark without an explanation. Mr. Wild resolved, however, to communicate the statement to Miss Clark, and called upon her brother and related to him what the defendant had told him.

Her brother immediately called on the defendant, who took him into a back room and told him "that all he had stated to Mr. Wild in relation to his sister was true." Mr. Wild then called upon Miss Clark, and told her the defendant (Martling) had made statements in relation to her, which had induced him to decline marrying her, and all further intimacy, and that her brother would inform her of the nature of the statement made by the defendant. And it was directly communicated to her at the defendant's house—which she immediately left. Thus the contemplated marriage was broken up, and a prosecution about to be commenced—the defendant then immediately set himself to work to pacify Miss Clark, and to get her again into his employ—this he attempted through his wife and Miss Eliza Clark, the sister of the plaintiff. He stated to her brother, and gave out, that all he had said in relation to her was false—a mere fabrication by himself; and offered her $16 per month, exclusive of her board, to return to his employ—which was by her indignantly refused, and she persisted in her determination to appeal to the laws for justice against the murderer of her reputation.

When Mr. Hunt, counsel for the plaintiff, rose to speak, the house was instantly silent; a breath could have been heard—and by him the testimony was most ably canvassed; and perfect justice was done to his cause—and the feelings of injured innocence. Mr. Buel then rose and took a general view of the case. He portrayed in all the colors of language, the principles and objects which actuated the defendant in his attempt to destroy the reputation [all she possessed] of a poor, unprotected orphan girl. And by an eloquent flow of argument, in which he severely and justly castigated the execrable and odious creature before him, the excitement of the audience was raised to the highest pitch of indignation. And being followed by an able and proper charge delivered to the jury, by judge Vanderpool, a plaudit that could not be suppressed, made the very edifice itself tremble; and when the miserable defendant rose to go out, so great was the feeling of indignation, every person near whom he passed, shrunk back from his touch as if he had been a leper. [*N. Y. Gazette.*

Perfection of reason. The London Morning Herald furnishes the annexed article:

"It has been long understood that English law is the 'perfection of reason,' at least by English lawyers. In a celebrated six hours' speech, the present lord chancellor Brougham, when a member of the house of commons, endeavored to disturb that opinion, so long and so well established at the bar. He, in fact, attempted to show, and some of the 'unlearned' members of the legislature thought his proofs unanswerable, that many things which are law are neither reason nor common sense, nor good policy, nor justice. In an unreformed house of commons, however, the quiver of sarcasm was exhausted in vain, and the 'perfection of reason' still continues to maintain its close alliance with what the human mind, uninitiated in legal mysteries, might easily suppose to be the 'perfection of absurdity.' Judge Buller, a great luminary of the bench, once held that a man who made a tender to another, to whom he owed money, of a few shillings *more* than his debt, did *not* tender the sum due. In logic, it is understood that the *greater* quantity contains the *less*. Accordingly, logicians would say that the man who offered another four pounds and a few shillings over, when he only owed him four pounds, had, in fact, offered the four pounds due. But what is sound in logic is not always good in law. It was only yesterday that a rule was applied in the king's bench for a new trial, and the rule granted upon the following point: The plaintiff sued the defendant for £20; the defendant pleaded a *tender* to that amount, which would have

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barred the action. The jury having heard all the evidence on both sides relative to the tender, were of opinion that the defendant had tendered, not the bare debt of £20 to the plaintiff, but the sum of £20 9s. 6d. A point of law was now raised, whether a tender of the latter sum was, in law, as well as in fact and logic, a tender of the former. One of the learned judges asked why the plaintiff, knowing he was tendered more than his debt, did not take the debt out of it, and leave the remainder? All their lordships seemed, indeed, to desire to reconcile the law with the fact, if the 'authorities' would allow them, and to have an inclination to rule that he who tendered another £20 9s. 6d. did, on the principle of the greater sum containing the less, tender him £20. But the law was peremptory. The 'judge-made' law of Mr. Justice Buller having established that £4 19s. 6d. did not contain £4 9s. 6d. a rule was granted calling on the defendant to show cause why there should not be a new trial, on the ground of his having tendered the plaintiff *more* than the sum due, and thereby made *no tender* at all. This is certainly *law*, but whether it is the 'perfection of reason,' let the unlearned decide."

Liabilities of partners. Judge Hoffman, of New York, has recently decided, as we learn by the Commercial Advertiser, that a levy upon co partnership property, for an individual debt of one member of a concern is not valid. It was not to be allowed as a principle of law, that the whole property of a firm may be taken out of its hands, and be dealt with as a sheriff may think proper, under an execution issued against a partner of the firm. An interest in it may be claimed, but the property cannot be seized. The possession and disposal of it must remain with the firm, and all that the creditor can do, is to give notice to the other parties of the execution against the insolvent partner, to account with him for the balance of his property remaining in their hands, after all the debts due to the solvent partners are paid.

Estate of Stephen Girard. *From the Philadelphia Gazette.* It is known to most of our citizens, that the heirs at law of the late Stephen Girard, claimed all the real estate which the deceased purchased subsequently to the publication of the last codicil of his will, amounting, we believe, to between sixty and seventy thousand dollars. The city as residuary legatee, defended its claim upon the property, but the supreme court of this state gave its opinion, which must settle the question, viz: that the property claimed by the heirs did not pass with the real estate previously acquired by the deceased, and by right and in law it belongs to the heirs.

Law of patents. We learn from the Greenfield, (Mass.) Gazette, that a case of some interest was lately decided at the supreme court in that county, of which the following is an abstract:

George Dickinson, *vs.* Richardson Hall. It was an action on a note of hand for $200. The defence was that it was without consideration. The defendant proved that the note, with several others, amounting in all to about $1,000, was given in consideration of the conveyance to himself and others for the exclusive right to make, use and vend Hines and Bains' improved patent machine for dressing flax and hemp in five towns in the county of Franklin. He then attempted to prove that the patent was void for several reasons. It seems that in 1823 a patent was granted to Hines and Bains for the whole machine, and afterwards, in 1826, they obtained a patent for the remainder of the term for the application of the broil wheels and ride shafts for the purpose of turning the fluted rollers only—suggesting that their former patent on the same subject was void on account of a deficient specification. The former patent was accordingly cancelled. The machine was proved to have been in general use between 1823 and 1826, and the defendant contends that this destroys the validity of the second patent, as by the provisions of the patent law, valid letters could only be granted for an invention "not used by the public before the application." But the court held that the invalidity arising from a prior use depended upon the intention of the party—the presumption that he had abandoned his right and dedicated his invention to the public, and that the circumstances of the use in this case negatived such an intention, the objection could not be sustained. The defendant then contended that the patent was void—because the "improved machine" was useless, and the improvement patented not new—and a variety of evidence was gone into upon these points on both sides. The chief justice charged the jury that it would be a good defence to the note to show that the patent was void: that in order to a valid patent, the machine or invention patented must be both "*new and useful*,"—that in order to usefulness, the machine or supposed improvement patented must be applicable to beneficial use, and that if it clearly appeared that no man in any part of the United States, under any circumstances, could erect such a machine without loss, that it could not be *useful* within the meaning of the law. He also directed them if the patented improvement contained neither any new principle, or any new combination of old principles—or a combination for a new purpose—then also the patent would be void. The jury found a verdict for the *defendant*. Several questions of law were reserved for the whole court. [*Boston Courier*.

Forfeiture of goods imported. In the district court of the United States for the eastern district of Pennsylvania, before judge Hopkinson, and a special jury, a decision was lately had, which is of importance to merchants. An information was filed by the district attorney against a box of laces—which was found to contain thirteen cards of quillings not enumerated in the invoice, or stated at the time of entry—and a forfeiture of the whole package was required.

The defendant did not controvert the fact, but rested his defence upon the ground that the forfeiture accrued only where there was a design to defraud the revenue and that the additional articles having been put in by accident or mistake, the jury might exercise discretion in condemning the property. On the other hand, it was contended by the United States attorney, that the question of fact being admitted or proved, the positive directions of the law demanded the forfeiture, and that the remedy for a party innocent of fraudulent intention, is, a subsequent *remission* of the penalty in the mode established by law.

Judge Hopkinson reviewed at length the acts of congress bearing upon the question, and charged the jury, that by the law; the whole package was forfeited by reason of containing articles not mentioned in the invoice; and that neither the court nor the jury had any thing to do with the question whether the articles got into the package by mistake or accident, or the intention, fraudulent, or innocent with which they were put there. The verdict was accordingly in favor of the United States, and the package was condemned.

Stealing one's own property. *From a London paper.*—At the Manchester quarterly sessions, on Saturday, a man named Richard Harris, of respectable appearance, who had formerly kept a public house in Manchester, was indicted for having stolen, at Manchester, on the 24th of December last, one box, the property of Messrs. Pickford the carriers.

The case excited considerable interest, as it involved a rather singular and novel question—viz: whether the prisoner had or had not been guilty of stealing his own property? According to the evidence adduced, it appeared that on the above named day the prisoner called at the warehouse of Messrs. Pickford & Co. the well known carriers, and asked if they had a box for him, which he expected would be sent, addressed to him from Birmingham, by their conveyance? The porter of Messrs. Pickford, whom he questioned, told him that it had arrived, and was in the warehouse; but that he had better go into the clerk's office, and pay the carriage before the box was given to him. He accordingly went into the office, and asked one of the clerks what was the charge for carriage.

The clerk told him, and he went away without paying any thing; but he said that he would call again about it. In two or three days afterwards he again called at the office, and asked for the box, saying that he had brought the money to pay for the carriage. On searching for the box in the warehouse it was not to be found, and the prisoner appeared to be exceedingly enraged, declaring that he would bring an action at law against Messrs. Pickford for the value of the box and its contents. The clerks and warehousemen had a conversation on the subject, and after considering the circumstances of the prisoner's previous visit to the warehouse, together with fact of the box not being seen since that visit, they began to suspect that the prisoner himself must have taken it away. Messrs. Pickford in consequence applied to the magistrates, and obtained a warrant to search the prisoner's premises, which they did, and there found the identical box, emptied of its contents.

Evidence to the above effect having been adduced, the jury stopped the chairman as he was about to sum up, observing that they were quite satisfied with the facts of the case, but they wished to know from him whether it was "a felony for a man to steal his own goods?"

J. H. Norris, esq. the chairman, said that, under the circumstances, there could be no doubt that, if the prisoner was guilty, it would amount to felony.

The jury immediately returned a verdict of guilty.

The chairman, in passing sentence, said that the prisoner was a man of very considerable and acute intellect and had managed this robbery with a deal of tact. He was liable to be transported for life, but the court would not go that length. Still, however, considering the address he had displayed, they could not do less than transport him for fourteen years.

The prisoner, on hearing his sentence, burst into tears, and was taken down crying bitterly.

A man's house his castle. We notice, in the case of a trial in New York for assault and battery on the keeper of a drinking house, the court held that if a person is ordered out of another's house, he must go, whether he is right or wrong in any discussion which gives rise to the order. The owner can put him out, and is authorised to make use of as much force as may be necessary to force him from the premises. [*U. S. Gaz.*

A borrowed horse. An action was lately decided in the supreme court of Rhode Island, before judge Wild, in which William Newhall obtained a verdict against John Webster for the value of a horse which had been drowned about two years since. Webster had borrowed the horse from the plaintiff to go from the town of Fall River to Providence; on his return, and after he had crossed the river, the horse became restive, backed into the river, and was drowned. The jury awarded the plaintiff damages to the amount of $125.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 12—VOL. VIII. BALTIMORE, MAY 18, 1833. [VOL. XLIV. WHOLE No. 1,130.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞There is nothing *important*, just now, to lay before our readers—but we have endeavored to give them an interesting and well-filled sheet. We intend, next week, to redeem our promise to publish the report of the minority of the committee of the house of representatives, on manufactures—and shall give it entire, by the aid of extra pages.

☞The shreds of foreign news that we have would seem to shew the probability of some collision between Great Britain and France, on the one hand, and Russia on the other, as to the affairs of Turkey. The former will not agree that the latter shall take the sultan under the "*protection*" of her army and navy. But sooner or later, unless Russia shall fall into pieces, because of her own weight and power, the possession by her, of Turkey in Europe, must be confidently expected.

☞We had hoped that any further notice of that abominable affair, the assault on the president, by Mr. Randolph, at Alexandria—would not appear necessary; but a proceeding as abominable as the assault itself, renders it proper for us to add to the *record*. A base attempt is making to inflict a wound upon the national character, by representing that attack as a party matter; or, to render it a sorry tool for party to work with. One might almost think that certain *miserables* are pleased with the assault, because of furnishing matter to feed their scurrilous appetites upon. The *exclusiveness* of this party is such, that it would rather degrade the whole people of the United States, as it were, for the act of an individual—than permit them to have a common feeling on any subject affecting the national reputation: and these have forced a consideration of the merits of the case of Mr. Randolph, which ought to have had no sort of influence over the minds of men, with respect to his attack on the person of the president. We have laid aside several articles on this subject, and shall *register* them—but take no other part in the matter than that of a "faithful chronicler."

UNITED STATES BANK. The honest gentlemen who worthily obtained, through some incorruptible public officer at Washington, a copy of the president's message before it was delivered to congress, and, in honorable fairness, speculated in the stock of the bank of the United States, at New York—we have the pleasure to say, have been handsomely rewarded! It is probable that the $80,000 which they so reputably pocketed by the "chivalric" proceeding just above stated, have been "nullified," *three times over*, by the confidence of the people in the bank. On Tuesday last 150,000 dollars of its stock was sold at 113½@113 7-8—probably to meet contracts for delivery. "The biters have been bitten."

MR. RANDOLPH attended the New Market races in Virginia, a few days since, and addressed the party at the Jockey Club dinner. The "Richmond Whig" says—"He trod the wine press of wrath, and, ranging through society, struck down moral and political offenders on the right and left, even as Achilles among the flying squadrons of Troy!"

The account says—"His speech was plentifully seasoned with appropriate anecdote, biting sarcasm, high compliment, and bold denunciation. Whilst chief justice Marshall, B. W. Leigh, Mr. Macon, and other distinguished individuals, received the tribute of his high-wrought praise, Daniel Webster, [!!!] and the editor of the Richmond Enquirer, were completely "rowed up Salt river."

"His health was still so feeble as to compel him to address the company from his seat. He concluded by paying a merited eulogy to the character and talents of B. W. Leigh, and offered the following toast, which was received with general applause:

"Benjamin Watkins Leigh, for the next president of the United States, and John Marshall, chief justice thereof."



VERMONT. At the third trial, H. Everett, esq. has been re-elected a member of congress from Vermont—though there were three candidates. But, at a third trial, a plurality elects.

MASSACHUSETTS. Second attempts have been made in the Boston, Norfolk, and Essex districts to elect members of congress, without success in either, because of having three or more candidates.

CONNECTICUT. The annual income of the school fund of this state, now nearly is, and soon will be, one dollar per head for every child educated.

NEW YORK. A wonderful excitement prevails in this city on account of the location of the new custom house—and the president of the United States and secretary of the treasury are much harrassed on the subject. The merchants insist that *their* convenience ought to be consulted!—but the property-holders, up-town, would have the site of the building a mile or so from the present chief seat of business. There have been many meetings and missions on this subject.

Some have proposed to offer the City Hall and Park to the United States!—but the other party, we believe, has not yet offered the Battery! The government, however, would only give 500,000 dollars for the City Hall and a large slice of the Park, and so that project was voted down. ☞Sell the Park?!

The great Erie canal aqueduct over the Genesse river, at Rochester, is considered in danger of falling. The event, should it occur, would occasion the double loss of the expense of reconstruction and a suspension of the navigation of the canal.

THE ERIE CANAL. The first canal boat from Albany (the present season) arrived at Buffalo on the 27th April; and in the week ending May 1, there arrived at that port six steamboats, eight schooners, and ten sloops, laden with the products of the west.

LAKE ERIE. There are twelve steamboats on our side of this lake—some of which are large and beautiful, and one building; there are also many schooners. A trip to "Mackinaw," or the "pond" in which we might "souse Britain's island whole," is now—as nothing.

CANAL TOLLS, &c. The returns received at the comptroller's office show that the amount of tolls collected on all the canals of the state, from the 22d to the 30th of April, was *ninety-three thousand and sixteen dollars*: averaging $11,626 for each day. The receipts, notwithstanding the diminished rates of toll, have surpassed those for the same number of days after the opening of the canals, in any former year.

The first trip on the Mohawk and Hudson rail road yesterday morning, the engine brought over ten cars, with about 140 passengers—the largest number that has passed over at any one trip this season.

There was weighed at the Albany weighlock, on the 3d inst. 2,110,882 lbs. merchandise, exclusive of 19 empty boats, the heaviest day's freight ever weighed at that lock. [*Albany Argus.*

LAKE ERIE DAMMED BY ICE. We learn that this unprecedented event has actually occurred, and that the mouth of the Niagara river between Fort Erie and Buffalo, is literally jammed or wedged with ice which has floated down the lake; and that the waters of the lake have, in consequence, risen several feet, while the waters of the river have, from the same cause, fallen so low that numerous rocks and islands, whose faces have never before seen the light of heaven, have made

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their appearance in the river. The low grounds about Buffalo are stated to be inundated, and much damage has been done to property in consequence. In confirmation of the above, we have just heard that the waters of the Chippewa creek, are lowered many feet; the Adelaide steamer is lying "high and dry," and the mills of Clark and Street have no water to keep them in operation.
[*York Courier*.

New York and Philadelphia. We see it stated that the distance between these cities, by a straight line, is about 74 miles; as travelled by the Camden and Amboy rail-road and steamboats 94 miles; as by the Trenton rail road and steamboats only 84½ miles. The latter is now making, or will soon be commenced and rapidly finished.

New Jersey. It is estimated that the water power of the Delaware river, at Trenton, as improved by a company, is equal to that of from 300 to 500 horses. It is a capital location—if manufactures are permitted to prosper, communicating both with Philadelphia and New York, by water-carriage, and in a healthy and fertile neighborhood.

Philadelphia. Stocks valued at 500,000 dollars are about to be set aside to improve the eastern front of this city, according to the will of the late Stephen Girard.

The various donations received by the committee for the relief of the Cape de Verd sufferers, amounted to $5,236 20.

The present amount of subscriptions received for the relief of the sufferers by the late fire at Cumberland, Md. is between 2,500 and 3,000 dollars.

The Philadelphia exchange is in such a state of forward preparation that we are informed the post office will be established there about the first of June. The apartments allotted to the office are in the basement story, on the Dock street flank of the building; and are preparing with the lobbies adjoining the business room. The room is 74 by 35 feet, containing three compartments, which are severally appropriated for the postmaster and his clerks.

The approaches to the post office are by three different portals, with wide and spacious lobbies leading from east to west—and which are to be flagged with marble laid on the arches of the basement story.

A coffee room or *restaurat* will be established on the Third street front of the building, communicating with the western lobby of the post office by means of two large folding doors.
[*Phil. Cen.*

Richmond. *From the Whig.* The foundation of an immense flour mill, is now being laid by Mr. P. J. Chevallie, adjoining his lumber house at the foot of the Basin, to replace the Gallego mills, lately destroyed by fire; and it is contemplated also to erect a cotton factory immediately below it, the machinery to be propelled by the same water that will be required for the flour mill—the fall being over thirty feet, after the water leaves the latter. We shall thus have the unseemly ravine, which has hitherto been a nuisance, converted to a useful purpose, and the farmers will lose only for one season the market for over 200,000 bushels of wheat, which were ground by the late, and will be by the new mill.

Georgia. A convention is sitting in this state to reduce and equalize the state representation. Mr. Wayne has been chosen president—for Mr. Wayne 151, *William H. Crawford* 88, scattering 9. The political character of the body may be gathered from this election. It is against nullification—*and so forth.*

Alabama. We have the first report to the stockholders of the Tuscumbia rail road, now making. It is to extend round the Muscle Shoal Falls of Tennessee (of 142 feet) and is in length 45 miles. From thence there is an uninterrupted water navigation to New Orleans—about 2,200 miles. The work seems to be going on with both prudence and spirit.

Southern distress. *Choice cotton.* We have before us (says the Mobile Register) samples of general Chambers' cotton, which brought the extraordinary price of 12½c. It was selected from his crop, and in point of color, cleanliness, staple and *handling*, (as it is termed by growers), is equal to any we remember to have seen. The price paid for this beautiful cotton should serve as an encouragement to the planters to bestow due attention on preparing their crops for market. Choice cottons like these will always command buyers, at rates sufficiently above the market to repay any expense in its preparation.

What a comment upon nullification! Surely the good people of Alabama could not wish better times. They will yet bless their *stars*, and eschew the Palmetto.
[*N. Y. Com. Adv.*

The mail. Ninety-nine persons in a hundred, when they speak, or hear others speak, of the *mail*, think it only a bag the size of a school boy's satchel, made to carry letters from one place to another. How they would stare to see three leathern portmanteaus and twelve canvass bags, each of which might contain two or three bushels, and be told that was the mail—Uncle Sam's satchel. They would not believe it. Yet such is the fact at New York, and proportionably so at other cities. The mail that left New York for the south on the 3d instant, carried letters, newspapers, &c. amounting in weight to more than a *ton and a half*, and it was called a *light day* at the office.
[*Boston Transcript.*

The mails. *From the Mobile Advertiser of April 17.* The failure of all the mails must plead our excuse for the barrenness of our columns to-day.

We have no news from New York later than the 28th ultimo, being 19 days—5 mails due. From Charleston, our latest dates are to the 2d instant.

No eastern mail arrived this day—*five due!!*

Up to the time of our sheet going to press, there were no less than *five daily mails due from New Orleans!!!!!* a distance (we believe) of not more than 150 miles, and but thirty miles of that distance land carriage, the rest good steamboat navigation.

Transportation. The Cleaveland paper says—The carrying trade between Philadelphia and Pittsburgh has been somewhat reduced the present season. All heavy country produce is carried from Pittsburgh to Philadelphia at 75 cents per 100lbs. which reduces the transportation of flour to about $1 63 per barrel. This is probably the lowest price of transporting produce from Pittsburgh to Philadelphia, and is a higher price than is paid for the transportation of flour from the Scioto to New York, by way of lake Erie.

Only ten years ago flour could be transported from Pittsburgh to Philadelphia at a cheaper rate than it could be brought from Chillicothe to Cleaveland, 600 miles distant from New York.

The far west. Goods have been received at St. Louis in 15 days after they left Baltimore—fifteen days! This operation will *yet* be performed in about half the time, the rail road to the Ohio being finished.

British "free trade" exportations. It is positively stated in the New York papers, that the parish officers of Middlesex and Surry, having resolved to rid themselves of small thieves, vagrants, and paupers, as much as possible, have taken up several ships at London for the purpose of spewing them into the cities of the United States. New York and Baltimore have been most favored with such cargoes of miserable beings, but it is now said that Boston and Providence will be chiefly honored with present exportations. We hope that there is authority in the corporations of those cities to send back these British "wares," or to tax them so heavily that they must be entered for exportation, only, like coarse British cotton goods. We are happy to believe that there is not cruelty and rascality enough in any public officers of the United States, to export cargoes of old and worn-out negroes to England; but, and except on that account, we should like to ascertain, by experiment, another proof of what *British* "free trade" is, by casting a few thousands of such "surplus population" into London.

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BRITISH TAXES. *House of commons.* Mr. Robinson rose to make a motion to the following effect: "that a select committee be appointed to consider and revise our existing taxation, with a view to the repeal of those burthens which pressed most heavily upon productive industry, and to substitute an equitable tax on property in lieu thereof." As this motion has been for the present lost, and as we are most sadly pressed for space, we shall despatch the debate as briefly as possible, as we have no doubt that the necessity for a property tax will very soon be forced upon ministers by the irresistible press of circumstances. Mr. Robinson maintained at considerable length, that the taxes, as now imposed, were of ruinously unequal operation; *that the working classes could no longer bear them; and that their continuation would be of the most disastrous consequence to the best interests of the nation.* The increase of the poor rates, the progress of crime, and the reductions in the savings' bank deposits, prove how grievously the working classes had been affected. He therefore urged on the house, before the financial statements were brought forward, to express its opinion, not as to the reduction of taxation, but as to the expediency of ascertaining whether it could not be differently and less injuriously imposed by means of a property tax. Mr. Warburton seconded the motion. After considerable discussion, the government not acceding to the motion, wishing to have the opportunity of making the financial statement, and not desiring to be pledged as to the tax named, the motion was negatived on a division. The numbers were 155 ayes, and 221 noes.

[*London paper.*

[The statement of Mr. Robinson shews how England "squeezes the orange"—and the export of paupers to the United States shews how the skin is presented to us.]

LUNATICS IN ENGLAND. By a return recently made to parliament, it appears that the total number of lunatics under the care of the lord chancellor is 393. The annual amount allowed for their care and maintenance is £134,999 17*s.* 2*d.* and the estimate of the rents and profits of their estates, real and personal, £243,443 2*s.* 3*d.*

[What a vast amount of wealth is thus vested—the aggregate revenue or profits of the estates of 393 persons is about 1,200,000 dollars—or an average of 3,000 dollars each.

NEW BISHOPS. Letters from Rome announce that the pope has appointed the right reverend Dr. Purcell (now president of the college of Mount St. Mary's, Emmittsburgh, Maryland, to the vacant bishopric of Cincinnati, and the right reverend Frederick Rese (late vicar apostolic of the diocess of Cincinnati) to the new see of Detroit in the Michigan territory.

REFORM. We have just received a letter from an old correspondent, saying, that he would "to-morrow" be removed from a little office which he held, because he had refused a *present* support to a certain individual for the NEXT presidency of the United States! This is looking a-head—"with a vengeance!"

DELAWARE BREAKWATER. We learn from the Philadelphia Commercial Herald, that upwards of 130,000 tons of stone have been contracted for, to be delivered at the Delaware breakwater during the present season. The whole length of the foundation on which deposites of stone had been made at the close of last autumn, was 1,883 feet (something more than a third of a mile), of which 1,419 feet had been raised 3½ feet above the level of low water, and 474 feet to its destined height. The ice breaker had been enlarged during the season to an extent of 575 feet in length by 60 in breadth, and 151 feet had been brought up nearly to the height contemplated. The expenditures upon this work, for several years past, have amounted to full $200,000 per annum. The whole cost was estimated by the commissioners at $2,216,870. The amount hitherto expended is not far from $1,000,000. Two or three years more will be required, in order to carry the work to its completion. When finished according to the original plan, it will afford a harbor sufficiently capacious for the anchorage of upwards of 60 vessels. "The water surface will comprise an area of one mile square, having a depth at low water of from 3 to 6 fathoms, between the pitch of the cape and the western extremity of the ice-breaker. This space will be completely secured from all gales from the north-east and north-west, these being the only points of attack from which there has been a necessity in the plan of the work to secure and fortify." There is but one breakwater in the world which can claim a comparison with it, viz: that at Plymouth, England, the length of which is about a mile. Its cost was upwards of £1,000,000 sterling, and the quantity of stone employed in its construction, about 2,000,000 tons.

MISSOURI LEAD MINES. Official information has been received by the superintendent of the United States' lead mines, at Galena, that the lead mines on the west bank of the Mississippi, recently ceded by the Sac and Fox Indians, will be opened for lease on the first day of June next.

A writer in the Galenian states that new and valuable discoveries of lead ore have been made upon the east bank of the Mississippi river, between the Platte and Grant rivers, in Iowa county, M. T. The ore is said to be of the best quality, found in large bodies, and over an extensive tract of the country. Among the most valuable discoveries is a horizontal cave, the entrance of which is about 150 feet above the level of the river. It is from two to four feet wide, and from six to nine feet high. From this cave, about 400,000 pounds of lead ore have been taken with little labor, and the operation was still continued. The land is of the best quality, and covered with timber. A town, called Van Buren, (which name has also been given to the mines and cave adjacent), has been laid out, and that part of the country is rapidly increasing in population. [*St. Louis Rep.*

CONVENTION OF FREE PERSONS OF COLOR. Delegates of color have been selected from most of the states in the union, to assemble next month in Philadelphia. Their avowed object is to devise means to elevate the character and improve the condition of the colored population in this country, and to fix upon a suitable place whither they may emigrate, and where they will no longer endure the depressing inferiority to which, so long as they dwell among the whites, they must always be subjected. It is understood that the delegates are generally, if not altogether, opposed to the colonization society—averse to going to Liberia—and that they have it in contemplation to plant a colony in the Texas.

These prejudices entertained by them against removing to Liberia, have been created and fostered, as is well known, by the deluded advocates of *immediate* emancipation. Misguided fanatics often occasion more mischief than avowed infidels, for their honesty of purpose may sometimes give them influence, when the personal character of the latter might prove an antidote to the perversity of their doctrines. We cannot but regard these persons as the greatest foes to the best interests of the African race. Their number, however, is few, and though the noise they make is great, their influence is small. Yet if it can be *clearly* shewn that a settlement in the Texas would answer the purposes of the blacks, we would not lay a straw in their path. We are quite certain, however, that they will find obstacles in their way, much more difficult to overcome than a settlement in Liberia.

[*N. Y. Com.*

LIBEL CASE. *New York court of sessions—the people versus Edwin Croswell,* [editor of the Albany Argus]. This cause being called on, Mr. *Hoyt,* in behalf of the defendant, presented the following paper to the court and moved that it be filed:

*Edwin Croswell ads. the people,* &c.—In reference to the publications charged in the indictment, Mr. Croswell, the defendant, says that the articles were published on the strength of expressions said to have been made by Mr. Blunt, and repeated to Mr. Croswell by responsible persons, and which Mr. Croswell at the time believed to be correct. He however afterwards became satisfied that the information on which the articles were founded was erroneous, and so stated in his paper. Mr. Croswell is advised that in law these publications are libellous; and as he is desirous to exonerate Mr. Blunt in the fullest manner from the imputations contained therein, he re-

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quests permission to withdraw his former plea of not guilty, and in lieu thereof he freely admits the publications charged, and repeats that he is satisfied that they were erroneous in point of fact, and unjust towards Mr. Blunt.

Mr. *Blunt* then rose and stated that he had not brought the prosecution from any personal feeling, but solely for convincing the conductors of the public press that private character was protected by the laws of the land. So far as he was personally concerned, he was entirely satisfied by the submission of the defendant, and hoped the court would acquiesce in the motion which the district attorney would make. Mr. Hoffman then moved that a *nolle prosequi* be entered, and the same was ordered accordingly. [*N. Y. American.*

Musk in cholera. *From the "New Monthly Magazine," published in London.* "Among other matters resorted to by the faculty to stay the progress of this terrible disease, one has been published of so singular a character, that we do not hesitate to extract the statement into our columns. It is contained in a letter from Mr. Richard Laming, of No. 48 Finsbury square, a district in which the ravages of the plague have been very great. Mr. Laming says—

"I have lately employed musk in several cases of cholera with a success so uniform and decisive, as to make its introduction desirable, without loss of time to the notice of the whole profession, &c.

"The salutary influence of the first dose of musk will be found to become manifest by greatly mitigating, in a very few minutes, and in many cases, by effectually removing the cramps, the purging and the vomiting. My plan has been to give at once fifteen grains, rubbed in a draught with a lump of sugar and a wine glass full of cold water; and I am justified in reporting that this first step, if taken promptly, will scarcely ever fail to arrest the progress of the disease, as to leave the patient to easy and ordinary convalescence.

"So evident is the action of musk in cholera, that the practitioner will experience no difficulty in determining whether he need repeat its exhibition, or whether, having subdued the immediate cause of the disease by the first dose, he should direct his attention to the removal of its consequences by the ordinary means.'"

## BRIEF NOTICES.

Sam'l Sayre, esq. his wife and servant, were lately found murdered in their house near Morristown, New Jersey; and the house was also plundered. The circumstances belonging to this affair are horrible. One person, a French or Swiss laborer, who was lately hired to Mr. Sayre, was, with seeming certainty, the sole author of these proceedings. He had been taken, and some of the property stolen was found upon him.

The trial of the rev. Mr. Avery for the murder of a young girl, who is supposed to have been seduced by him, is going on at Newport, R. I. and excites a high degree of interest.

The secretary of the navy was at Pensacola on the 29th April, and, after inspecting the navy yard, &c. proceeded eastward.

A disease has broken out at New Orleans, which, if not the cholera, bears much of the character of that fearful disease—and had already caused many deaths.

There has been an affray, with fists and sticks and stones, between a party of Georgians and a party of Cherokees, near Scudder's in Forsyth county, Geo. in which there were many black eyes and some broken bones. The quarrel probably originated about the gold mines at that place.

The worthy veteran of the press, *Joseph Gales*, esq. of Raleigh, N. C. has retired from the editorship of the "Register," which will be continued by his son, Mr. W. R. Gales. Mr. G. sen. is about to remove to Washington. On the 11th inst. the citizens of Raleigh gave him a public dinner, at which gov. *Swain* presided. Among the guests was chief justice *Marshall*. The compliment so well deserved, was happily given.

It is now so arranged by the steamboat lines, that one continuous journey may be made from Philadelphia to Norfolk, in 31 hours.

Part of the cargo of a ship, which has cleared at Boston for Calcutta, consists of 200 tons of ice.

## LATEST FOREIGN NEWS.

### GREAT BRITAIN AND IRELAND.

It is said that the duke of Orleans was about to visit London.

In the house of lords on the 1st of April, lord Suffield presented a petition from Oldham, for the "immediate and unconditional abolition of slavery in the West Indies;" and petitions from Southampton, Enniscorthy, Londonderry and Sewartstown, for the immediate abolition of slavery. His lordship gave an explanation of the meaning he attached to the words, "immediate and unconditional."

Lord Ellenborough quoted Johnson's dictionary, and ascertained that "immediate" meant "instant," and that there was no such word in the English language as "unconditional," the word was "unconditionable."

After a few remarks from lord Suffield,

Earl Grey expressed a hope, that as important business was pending, an immediate end might be put to this discussion, and that every noble lord would understand what he meant by "immediate." (Cheers and laughter). His wish was that emancipation should be as speedily as it could be rendered safe.

A bill has passed the house of commons by a majority of 11, in which flogging in the army is abolished, except for open mutiny, thieving and drunkenness on guard.

The Irish church bill meets with a warm opposition. The priests are loath to give up their fat things, and the nobles and others the power of providing for their younger sons and other relatives.

The funds experienced a decline of ½ per cent. on news being received that a Russian army had passed the Pruth.

The Irish enforcing bill finally passed on the 1st April, without much opposition—as modified in the house of commons. The Irish church bill is regarded as a remedial measure; and, if passed, is expected to "nullify" the *operation* of the first named bill, by quieting the Irish people. It may, for a moment—and such was the effect of the Roman Catholic relief bill. But the causes of distress in Ireland lie much deeper than in these things. Nor would a repeal of the union relieve them.

### FRANCE.

A large squadron was assembling and fitting at Toulon, and to be held ready to sail at a moment's warning. Troops were also collecting at Toulon.

Joseph Bonaparte has contributed a rich decoration of the legion of honor, set in diamonds, which was worn by Napoleon during the campaign of Austerlitz, &c. with 600 francs, for the relief of certain imprisoned patriots, a meeting concerning whom was to be held at Paris, over which "the illustrious friend of Washington" (Lafayette), was to preside.

Louis Bonaparte has made a contribution for the relief of M. Lafitte, in a very handsome manner. The subscription for M. L. amounted to upwards of 300,000 francs.

General Guilleminot is definitively nominated governor of Algiers.

### TURKEY AND EGYPT.

Mehemet Ali has rejected the propositions made by France on the subject of the war between himself and the porte. This has created much sensation; and, being thought to render the intervention of Russia all but certain, is expected to produce a bad understanding between that power, on the one hand, and France and England on the other. Many things are stated which shew that the latter will not quietly permit the occupation of Turkey by Russia.

A report was current that a large body of Russians had already crossed the Danube—and the Russian (Black sea) fleet remained near Constantinople.

Smyrna was yet in quiet possession of the Egyptians, and their fleet was cruising before that port. Ibrahim's head quarters were at Koniah. Constantinople suffers much from the loss of a communication with Smyrna.*

There was a report that the French ambassador at Constantinople was about to demand his passports.

### PORTUGAL.

There were frequent skirmishes at Oporto between the troops of the contending brothers—but nothing of a decisive character is mentioned as having happened.

### EAST INDIES.

A second great failure has taken place at Calcutta. The house of McIntosh & Co. are said to have stopped for three or four millions sterling.

### PRUSSIA.

The king has lately made an *important* concession to his subjects. He has given permission to public functionaries of a very advanced age, to appear at court in pantaloons instead of state breeches!

### GREECE.

This new kingdom has been divided into three principal sections, viz. the Morea, Continental Greece, and the Islands. Plaponias, one of the three commissioners sent to congratulate king Otho at the Bavarian court, has been rewarded by the ap-

*By an arrival at Boston we have the following:

The new governor [Ibrahim's] met with no resistance in the exercise of his authority until the 5th March, when a courier arrived from Constantinople, bringing intelligence that the new French ambassador at that court had declared it to be the intention of France to join with Russia in support of the sultan's authority. In consequence of this information, the consuls of those powers refused to acknowledge the new governor of Smyrna, and were making preparations to take down the flag staffs, when the governor thought proper to resign his post to the former occupant under the sultan. Ibrahim's governor was seized and thrown into prison, until he should restore the sums taken from the treasury during his administration. Here seemed to end the Egyptian authority. Ibrahim's army remained encamped near Smyrna, but when he is made acquainted with the determination of the combined forces, he will probably desist from any further attempt to carry his designs against Smyrna and Constantinople into effect.

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pointment of governor of the first; Collotti of the second; and Zami of the third. Colocotroni and his partizans, possessing republican opinions, have been put aside.

ONE DAY LATER.

Some changes have taken place in the British ministry—E. J. Stanley has been appointed secretary of state for the war department and the colonies, *vice* viscount Goderich, resigned; sir John Cam Hobhouse secretary of state, for Ireland; Mr. Ellice secretary at war; and viscount Goderich lord privy seal, vice the earl of Durham, resigned.

Many additional petitions had been received for the *immediate* abolition of negro slavery; and others to relieve dissenters from payments for the repair of churches, and "the means of carrying on worship in them, from which they derived no benefit."

The accounts from Holland are called "warlike." The whole of the Dutch army, it is said, were advancing to the frontiers. It would seem that the king had been encouraged by Russia and Prussia. It may be so—*or, it may not be so!*—as may be generally said of Dutch or Belgian news.

There was a report that 6,000 Russians had disembarked near Constantinople. (Doubted).

The (London) Albion says—We understand that orders have been given to equip, with the utmost dispatch, a fleet for the Mediterranean. It is now well understood at the admiralty, that the Russian ships are not disposed to leave Constantinople, even with a favorable wind.

The agents of Don Miguel have succeeded in raising a loan of £100,000 for him, in London.

The case of the duchess of Berri excites much attention in Paris—and reports of her illness and death have been circulated; but the day of deliverance is said to be close at hand! Four physicians were waiting upon her.

The British revenue for the quarter ending 5th April, shews a decrease of £92,420, as compared with the corresponding quarter of last year. The excise, which is called "the guage of the people's comfort," fell short in £38,645.

The price of the stock of the bank of England had declined 2½ per cent. though the precise terms on which its charter would be renewed were yet unknown.

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COBBETT AND PAINE.

The following which happened in the British house of commons on the 22nd March, we supposed had about *as much* effect on Mr. Cobbett's feelings, as the falling of a drop of water on a duck's back is annoying to him!

A number of petitions were presented for the better observance of the Sabbath, which Mr. Cobbett condemned as originating in pounds, shillings and pence feelings, and not in a respect for the gospel. In observing on one petition presented in favor of the emancipation of the Jews, the same hon. member said that the presenter of the petition (Mr. E. J. Stanley) had declared that the Jews were one of the most industrious classes of his majesty's subjects. Now, he would ask the hon. member whether he could produce a Jew who ever dug or went to plough, or made his own shoes or coat; or who ever did any thing except get money from the pockets of the people? Mr. E J. Stanley, in reply, said that as the hon. member had once condemned Paine as a blasphemer, and yet afterwards assisted at his apotheosis, it was to be hoped that he (Mr. C.) would exhibit a similar change of opinion with regard to the Jews.

Mr. Cobbett *denied that he had ever held up Mr. Paine as a blasphemer.* He had always, however, drawn a distinction between Mr. Paine's political and religious opinions. With respect to his bringing Mr. Paine's bones to England, all he should say was, that in doing so he considered he was only doing his duty, out of the respect to his writings on the subject of paper money; which, if they had been attended to, and his advice followed, would have prevented the present difficulty of dealing with the currency.

Mr. E. J. Stanley said, that after what had fallen from the hon. member for Oldham, he must be allowed to justify himself by reading the very words of the publication of the hon. member himself: "In no part of the *Age of Reason* does Paine speak in terms of impious irreverence of God; he praises God, and calls upon his name, and that too, in a strain of eloquence the equal of which I have never heard in any sermon." Vol. 25, p. 725. "The *Age of Reason* is as despicable as its author. The wretch has all his life been employed in leading fools astray from their duty. His religion is of a piece with his politics, the one inculcates the right of revolting against government, the other against God." Vol. 3, p. 369. "Though Thomas Paine was no Christian, he was no blasphemer. He offers no indignity to God himself." Vol. 35, p. 735. "Paine was a cruel, treacherous and blaspheming ruffian; he was a traitor, and a traitor is the foulest fiend on earth. Vol. 4.

This little expose is so characteristic of Cobbett that we have transcribed it, although we have repeatedly published these and a hundred other equally palpable contradictions. There is a little book called the "Beauties of Cobbett, or blowing hot and cold," entirely filled with his assertions and contradictions, as palpable as that here exposed respecting Thomas Paine.

The speaker concluded, we presume, that Cobbett had received a regular floorer, and interfered to prevent Mr. Stanley pummelling a fallen man. The right hon. member, he said, had now answered the hon. member for Oldham, and it would be quite out of order for him to proceed.

COMMERCE OF THE UNITED STATES.

*Summary statement of the value of the exports of the growth, produce and manufacture, of the United States, during the year commencing on the 1st day of October, 1831, and ending on the 30th day September, 1832.*

| | | | |
|---|---|---|---|
| THE SEA. | | | |
| Fisheries— | | | |
| Dried fish or cod fisheries | | $749,909 | |
| Pickled fish, or river fisheries, herring shad, salmon, mackerel | | 306,812 | |
| Whale and other fish oil | | 1,009,728 | |
| Spermaceti oil | | 38,161 | |
| Whale bone | | 186,595 | |
| Spermaceti candles | | 267,332 | |
| | | | $2,558,538 |
| THE FOREST. | | | |
| Skins and furs | | 691,909 | |
| Ginseng | | 99,545 | |
| Product of wood— | | | |
| Staves, shingles, boards and hewn timber | $1,522,053 | | |
| Other lumber | 188,608 | | |
| Masts and spars | 73,368 | | |
| Oak bark and other dye | 52,944 | | |
| All manufactures of wood | 312,678 | | |
| Naval stores, tar, pitch, rosin and turpentine | 476,291 | | |
| Ashes, pot and pearl | 930,398 | | |
| | | 3,556,340 | |
| | | | 4,347,794 |
| AGRICULTURE. | | | |
| Product of animals— | | | |
| Beef, tallow, hides, horned cattle | 774,087 | | |
| Butter and cheese | 290,820 | | |
| Pork, pickled, bacon, lard, live hogs | 1,928,196 | | |
| Horses and mules | 164,034 | | |
| Sheep | 22,385 | | |
| | | 3,179,522 | |
| Vegetable food— | | | |
| Wheat | 93,500 | | |
| Flour | 4,880,623 | | |
| Indian corn | 278,740 | | |
| Indian meal | 480,035 | | |
| Rye meal | 75,302 | | |
| Rye, oats, and other small grain and pulse | 78,447 | | |
| Biscuit or ship bread | 255,735 | | |
| Potatoes | 42,077 | | |
| Apples | 15,314 | | |
| Rice | 2,152,631 | | |
| | | 8,352,449 | |
| | | | 11,532,016 |
| Tobacco | | | 5,999,759 |
| Cotton | | | 31,724,682 |
| All other agricultural products— | | | |
| Flaxseed | | 123,036 | |
| Hops | | 25,448 | |
| Brown sugar | | 11,232 | |
| | | | 159,716 |
| MANUFACTURES. | | | |
| Soap and tallow candles | | 701,184 | |
| Leather, boots and shoes | | 277,388 | |
| Household furniture | | 169,039 | |
| Coaches and other carriages | | 45,277 | |
| Hats | | 310,912 | |
| Saddlery | | 29,572 | |
| Wax | | 62,444 | |
| Spirits from grain, beer, ale and porter | | 127,583 | |
| Snuff and tobacco | | 295,771 | |
| Lead | | 4,483 | |
| Linseed oil and spirits of turpentine | | 33,364 | |
| Cordage | | 13,803 | |
| Iron, pig, bar and nails | | 65,979 | |
| castings | | 26,699 | |
| manufactures of | | 190,222 | |
| Spirits from molasses | | 38,221 | |
| Sugar, refined | | 74,673 | |
| Chocolate | | 2,255 | |
| Gunpowder | | 96,023 | |
| Copper and brass | | 105,774 | |
| Medicinal drugs | | 130,238 | |
| | | | 2,730,833 |
| Cotton piece goods— | | | |
| Printed or colored | 104,870 | | |
| White | 1,052,891 | | |
| Nankeens | 341 | | |
| Twist yarn and thread | 12,618 | | |
| All manufactures of | 58,854 | | |
| | | 1,229,574 | |
| Flax and hemp— | | | |
| Cloth and thread | | 1,570 | |
| Bags and all manufactures of | | 2,685 | |
| Wearing apparel | | 80,803 | |
| Combs and buttons | | 194,305 | |
| Brushes | | 4,754 | |
| Billiard tables | | 1,310 | |

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| | | |
|---|---|---|
| Umbrellas and parasols - - - - - - - | 20,361 | |
| Leather and morocco skins not sold per pound - - - - - - - - - - - - | 42,565 | |
| Printing presses and type. - - - - - - | 22,558 | |
| Musical instruments - - - - - - - - | 4,952 | |
| Books and maps - - - - - - - - | 29,892 | |
| Paper and other stationery - - - - - - | 64,847 | |
| Paints and varnish - - - - - - - - | 24,611 | |
| Vinegar - - - - - - - - - - - | 4,677 | |
| Earthen and stone ware - - - - - - | 6,333 | |
| Fire engines and apparatus - - - - - - | 7,758 | |
| Manufactures of glass - - - - - - - - | 106,855 | |
| tin - - - - - - - - - | 3,157 | |
| pewter and lead - - - - | 983 | |
| marble and stone - - - - - | 3,454 | |
| gold and silver and gold leaf | 653 | |
| Gold and silver coin - - - - - - - - | 1,410,941 | |
| Artificial flowers and jewelry - - - - | 14,852 | |
| Molasses - - - - - - - - - - - | 2,493 | |
| Trunks - - - - - - - - - - - | 5,314 | |
| Brick and lime - - - - - - - - - | 3,502 | |
| Domestic salt - - - - - - - - - - | 27,914 | |
| | | 3,253,674 |
| Articles not enumerated— | | |
| Manufactured - - - - - - - - - - | 477,267 | |
| Other - - - - - - - - - - - | 353,181 | |
| | | 830,448 |
| | | $63,137,470 |

COMPARATIVE STATEMENT—EDITORIAL.

| | 1831. | 1832. |
|---|---|---|
| Products of the sea - - - - | 1,889,472 | 2,558,538 |
| " forest - - - - | 4,263,477 | 4,347,794 |
| " animals - - - | 2,828,936 | 3,179,522 |
| " vegetable food - | 13,997,472 | 8,352,494 |
| " cotton - - - | 25,289,492 | 31,724,682 |
| " tobacco - - - - | 4,892,388 | 5,999,750 |
| " Flax seed, &c. - | 251,145 | 159,716 |
| " manufactures - - | 6,752,683 | 5,984,503 |
| Non-enumerated—manufactured | 394,681 | 477,267 |
| " other - - - | 715,311 | 353,181 |
| | 61,277,057 | 63,137,470 |

And there is a general excess in the value exported in the year 1832, over 1831, of two millions of dollars. We use round numbers.

The value of the products of the sea has increased in the sum of (say) 650,000 dollars—in the latter year.

The value of the products of the forest has a little increased, and so has the value of the product of animals.

The value of vegetable food has *decreased* more than 5,500,000—but the value of cotton and tobacco has *increased* in the sum of 7,500,000 dollars.

Under the head of manufactures are included gold and silver coin. The general aggregate, in 1832, is about 800,000 less than in 1831; but in the sum for 1831 was included 2,058,474 dollars in gold and silver coin, and in 1832, only 1,410,941 dollars—or 650,000 less. So that the value of manufactures exported (in the common use of the word) was nearly the same in both years.

Now, *if* the export of domestic productions has any thing to do with the prosperity of particular sections of country, it will appear, that the cotton and tobacco planters have had no reason to complain of the tariff! They added 25 per cent. to the value of *their* exports—while the farming interest, or producers of bread-stuffs and meats, lost 33 per cent. on the value of *their* exports!

We do not build much on these facts! We know that they are "as a drop in the bucket" to the value of the internal commerce of the United States—things only of "moonshine;" but it may be that we shall hold a "talk" about them with "the forty-bale theory philosophers," and others, who seem to think that *all* value is confined to imports and exports!—that a bale of cotton, sold at Boston, for four eagles, is not worth as much as another bale sold at Liverpool for the same weight of gold! and that, if the four eagles laid out in cotton, are made worth twelve eagles at Boston, it is better to pay twelve eagles for the cloth at Liverpool than in Boston; though into the value, at Liverpool, not one cent's worth of American bread or meat enters; whereas at Boston the home made cloth represents four eagles' worth of our bread and meat, just as certainly as it represents four eagles worth of our raw cotton. Indeed, in almost every important instance, bread and meat are the *materials* of chief value, used in manufactures.

## BLACK HAWK, &c.

*From the Western Shield.*

The editor of the "*Western Shield*" lately paid a visit to the "wilds of Missouri." In his last he gives a portrait of *Black Hawk*, and the warriors that are now with him at Fortress Monroe. He saw them first at Jefferson Barracks, Missouri, and afterwards came passenger in the same boat with them. Speaking of the first impression which they made on his mind, he says:

"We were immediately struck with admiration at the gigantic and symmetrical figures of most of the warriors, who seemed, as they reclined in native ease and gracefulness, with their half naked bodies exposed to view, rather like statues from some master hand, than like beings of a race whom we had heard characterised as degenerate and debased. We extended our hands which they rose to grasp, and to our question "how d'ye do?" they responded in the same words, accompanying them with a hearty shake. After the salutations were over, we had leisure to observe more closely the appearances of these sons of nature; they were clad in leggins and moccasins of buckskin, and wore blankets which were thrown around them in the manner of the Roman toga, so as to leave their right arms bare: when reclining or lying down, they generally allowed their blankets to fall from them. The youngest among them were painted on their necks, with a bright vermillion color, and had their faces transversely streaked with alternate red and black stripes. From their bodies and from their faces and eyebrows, they pluck out the hair with the most assiduous care; they also shave, or pull it out from their heads, with the exception of a tuft of about three fingers width, extending from between the forehead and crown to the back of the head, this they sometimes plait into a queue on the crown, and cut the edges of it down to an inch in length, and plaster it with vermillion which keeps it erect and gives it the appearance of a cock's comb. The time and great care bestowed by them at their toilette, would put the foppery of a civilized beau completely to the blush; the point of a single hair emerging from their eyebrows, or the slightest pimple visible upon their faces, awakens their anxious solicitude, and they proceed to eradicate, or erase it with all possible despatch."

He says that the whole of them were truly interesting, and had "his (*Jack* the eldest son of Black Hawk) countenance not been wanting in that peculiar expression which emanates from a cultivated intellect and which education alone can give, we could have looked upon him as the living personification of our *beau ideal* of manly beauty."

The article is too lengthy for insertion in our paper entire. The brief biographical sketch which he has given of each of those individuals, each of whom has become distinguished by their exploits last summer in the Indian war, although somewhat indefinite, will prove of some interest to those who are aware of, and are familiar with, the transactions of that bloody and unprofitable campaign; and from his intimacy and the length of time he was in their neighborhood and company, it is to be expected that he should know as much if not more, about their individual histories as most persons—and as, moreover, it is his vocation to "gather news from all nations," upon all subjects, it is presumable at least that he did not neglect to "store well his mind" with the information thus fortunately thrown, as it were, in his way. We give one or two more extracts.

"Muck-a-tama-sic-ae ac, or Black Hawk, is apparently 50 years of age, about 5 feet 8 or 9 inches high, with rather broad shoulders, he has a low retreating forehead, sharp nose, somewhat hooked, chin slightly receding, cheeks a little hollow, and eyes of a dark hazel color; his vision is impaired and he occasionally wears spectacles. The expression of his countenance is benevolent with a shade of sorrow in it. In his manner he is in general reserved and thoughtful, but sometimes appears cheerful and converses with animation. He wears at his side the skin of the bird from which he is named, and uses its long feathers as a fan.

He is not an hereditary, but a warrior chief, who by superior prowess and skill has arisen to a power and influence over his nation, not exceeded by any other of his tribe. He was described to us, by persons who have known him for years, as a man of amiable disposition, kind in heart, and of strict integrity. He is attended by his second son, Na-se-us kuck, or the Thunder-cloud, who bears a strong resemblance to his brother Jack, both in feature and in form, but is far from being so handsome. O pee-kee-shieck, or the Prophet, is aged about 45, he is upwards of six feet high, remarkably stout built and rather inclining to fatness. He wears his hair long all over his head, and has mustaches on his upper lip, his face is fuller and his nose straighter than his companions, his forehead is low, and his eyes are sunken deep beneath his brows, which close over them in a continual frown. Ferocity is strongly marked in his countenance, mingled with an expression of wilyness and cunning, which when he smiles seems predominant. He carries with him a pipe a yard in length, the stem ornamented with the neck feathers of a duck, and beads and ribbons of various colors, in the centre is attached a fan of feathers, neatly wrought together.

Naa-Pope, or Broth, the brother of the Prophet, and some years his junior, resembles him in height and figure, though he is not so robust, and his face is more sharp; in wickedness of expression they are *par nobile fratrum*. We were informed that when Mr. Catlin, the artist, was about taking the portrait of Naa-Pope, he seized the ball and chain that were fastened to his leg, and raising them on high, exclaimed with a look of scorn, "make me so, and show me to the great father." On Mr. C's refusing to paint him as he wished, he kept varying his countenance with grimaces, to prevent him from catching a likeness. Powee-shieck, or Strawberry, is the only Fox among them, the rest being all Sacs. He is the son of the chief Epanoss; his parents dying while he was an infant, he was adopted by Naa-Pope; he is nineteen years of age, tall and slender, with a remarkably frank and good humored expression, he seems vain and very fond of dress; he wears, suspended from his neck by thongs, a kind of breast-plate made of leather, studded with brass; it is of an oval shape, a little larger than a man's hand, and is the badge of his nobility, and of his bravery in battle.

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Po-ma-hoe, or fast-swimming-fish, is a short, thick-set, good natured old brave, who bears his misfortunes with a philosophy worthy of the ancients."

INDIAN DISTURBANCES.

*From the St. Louis Times, of April 13.*

We regret that the public mind is again excited, by the unfounded reports concerning the Indians. There are some who wish to keep up an excitement on this subject, for the purpose of preventing *the lead region* from being overrun with miners. It is very probable that the present competition among the miners will be injurious to those concerned—and especially so, if it be increased. But we care more for the general interests of the country, than for the progress of a particular branch of industry. We think, however, that the *truth* will, in the long run, promote the public welfare to a far greater extent, than the circulation of error. If it be a fact that the Indians are determined to fight, preparations should be made for the defence of the frontiers. But if they are peaceably disposed; if their situation is such as to render it almost impossible for them to commence a war, why should emigration to the country be checked, and general prosperity retarded for the benefit of a few? It is at all times, possible to *nurse* little difficulties until they become of importance.

The president was informed, long before the war of last summer, that the Indians could be peaceably removed from the east to the west side of the Mississippi, for the sum of 6 or $8,000. He was told in the presence of a member of congress that the inquiry had been made by a person competent to judge, and that the fact of their willingness to go, had been ascertained. The secretary at war also was made acquainted with the same important truth. No attempt was made to investigate whether the president and secretary had been correctly informed. By the late appropriation bill *six hundred and thirty thousand dollars* were applied to the payment of the Illinois militia for serving against Black Hawk and his party! Here is economy! We pass by the other expenses direct and incidental, which were indeed heavy, and (in the spirit of those who cherish and foster, and aggravate private disturbances so as to create a war) we also pass by the great sacrifice of human life, and the cruelties practised upon those who have only weakness and ignorance with which to contend against power and knowledge. We pass by *all this as nothing* that the administration may have full scope to boast of its *rigid economy* and its extensive humanity.

We *know* that the principal Pottowattomie chiefs, who control their nation, are anxious to cultivate all the relations of peace. We *know* that when they were hunting on grounds which belonged to them for that purpose, *by treaty* (if treaties may be regarded as good for any but the strong) they were forbidden thus to supply their perishing families with their ordinary food—and we *know*, that in order to continue friendly to the government, at the request of their chiefs they retired, and suffered much, having felt the universal scarcity of crops the previous season. We are persuaded that the Winnebagoes are, in every way, solicitous to live undisturbed without trespassing on the rights of others. The proofs are ample. As to the Sacs and Foxes, did not Keokuc and his principal men come down to St. Louis a few days ago, offering assurances of peace—pledging that neither Black Hawk nor any one else should trouble the whites? Keokuc is known for the observance of his word—his strict adherance at all times to the truth. Yet still we hear that the Sacs and Foxes, the Winnebagoes and Pottowattomies are determined to fight! However, notwithstanding the above related facts, a war *may* be kindled, and a majority of the people *may* be made to believe that the United States is not the aggressing party!

LAW CASES.

CASE OF A RUNAWAY SLAVE. An important trial was recently held in the United States district court at Philadelphia, before judges Baldwin and Hopkinson, in which were involved some interesting questions touching runaway slaves. The case is reported in the Pennsylvanian of Saturday.

It arose out of the seizure, in 1822, of a runaway slave in the state of Pennsylvania, by his owner from New Jersey, without a warrant. The owner took the runaway by force from his place of service, and had put him in a wagon, when the person in whose service the slave was at the time employed, with the assistance of his neighbors, assaulted the owner (Mr. C. Johnson) and his party, released the slave, and after having wounded Mr. J. seriously in the scuffle, took him and his friends prisoners to jail, and had him indicted for felony before the county court, at which he was tried and acquitted.

The present suit was brought under the act of congress by Mr. *Johnson*, against one *Kinderline*, with whom the runaway was residing, and who had been active in the attacks. The damages were laid at $10,000.

Judge Baldwin charged decidedly in favor of the plaintiff, and his remarks are quoted as "a striking commentary upon the recklessness of those who assert that the north is interfering with the peculiar property of the south." He expressly directed the jury "that a master has the right of arresting his slave, *without a warrant*, and carrying him before any competent tribunal, in order to prove his property; that he is not required to answer the questions of any one, except those of the legal magistrates, and that parol evidence is sufficient to show the validity of his claims in the absence of a bill of sale."

The jury found for the plaintiff—*four thousand dollars damages.*

CASE OF MR. M. M. NOAH. A case was recently decided in the vice chancellor's court, which may be of interest to those who buy and sell newspaper establishments. It was on an application of Mr. Noah, to cancel a bond which he had given not to publish a newspaper for eight years. In 1829, Noah sold to Webb and Tylee, the New York Enquirer, and entered into an obligation in a penal sum of $20,000, not to publish a paper in this city for eight years. In 1831, Tylee sold back his interest to Noah, who entered upon the same as joint proprietor; and, in 1832, Mr. Noah sold out his moiety to Mr. Webb, but did not renew the stipulations of the bond, and finally, Webb, to meet some embarrassments, assigns all his interest to trustees. Mr. Noah prayed that his bond may be cancelled, with a view of establishing a paper himself, and on the ground that, having purchased back the interest of Mr. Tylee, the bond became null and void. The vice chancellor, in a very learned opinion, admitted, that the parties had no redress at law, and could not recover on the bond, should Mr. Noah establish a paper; but he held that it was a delicate point for a court of equity to cancel an agreement without pressing causes, that did not exist in this case; and he was of opinion, that the parties had an equitable right in the bond, although the subsequent arrangement had deprived them of legal redress, and thought that the court could restrain Mr. Noah from publishing a paper, should he be so disposed.

The court was full, as the case was one of interest; and Mr. Noah, though flattering himself that he was somewhat of a "veteran editor," has discovered that he has still four years of his apprenticeship to complete. [*N. Y. Gaz.*

CASE OF A REWARD OFFERED FOR ABUSE! A curious suit was recently tried in one of the ward courts of New York, against a candidate for the office of alderman at the late election in that city. It was an action for services performed for eight days at five dollars a day, for writing electioneering handbills, songs, and abusive paragraphs, *against* the defendant's election. The plaintiff undertook to prove that the defendant made a contract to pay for being abused in this way, thinking it would benefit his election! There was no doubt that the candidate had expressed this opinion, but he denied the contract, and asserted the expressions to be merely jocular, and the jury found a verdict in his favor.

CHINA TRADE AND GOVERNMENT OF INDIA.

*From the Liverpool Times, of April 2.*

The commercial monopoly of the East India company, after having existed upwards of two hundred years, is about to cease forever; and the political rule of that celebrated and most potent body over the extensive regions and populous nations which it has acquired, by the valor of its armies and the skill of its negotiators, is about to be confirmed and continued for an indefinite period of time. The trade, which is thus on the point of being opened, is one which will, in a few years, give occupation to hundreds of thousands of the British people—which will cover the seas of the most distant regions of the earth with our ships—open the markets of the most remote countries to our merchants—diffuse the products of British industry in regions where the British name is at present scarcely known—pour into our lap the wealth of the richest countries of the east—and unite, by the ties of mutual advantage, nations separated by trackless seas and the circumference of half the globe. The trade with the peninsula of India alone, though restricted to the merest out skirts of that rich and populous empire by laws which prevent Europeans from trading with the interior, though embarrassed by the competition of a body of monopolists who have the power to injure others without the ability to benefit themselves, and though crampt and injured by the want of returns—a want originating entirely in the exclusion of the science and the enterprise of Europeans from the cultivation of a soil capable of producing, in the highest perfection, silk, sugar, rice, indigo, cotton, coffee, spices and every other article which tropical countries supply—this trade under all these disadvantages, has in a few years become worth many millions sterling to this country, requires many tons of shipping, and affords employment and support to tens of thousands of our most skilful and industrious workmen. What it will become, when Europeans are allowed to range through every province and district of India in search of markets—when the Ganges, the Indus, the Nerbuddah, the Godavery and the other great rivers are covered, like the rivers of North America, with steamboats—and when the products of that country have, from the use of the best modes of culture and manufacture, been made capable of competing with the finest products of the West Indies, the Brazils, and the United States, it is easy to foresee. If prosecuted with the same spirit with which every other trade has been prosecuted by the merchants of England, it will in a few years be one of the most important, if not the most important, of all the sources of our national wealth and greatness. Add to this the trade with China and islands of the Indian ocean, many of them larger than the most extensive countries of Europe, and some idea may then be formed of the importance of the interesting issue, and of the necessity of the people of England watching the progress of the measures which are about to be brought forward carefully, and guarding against any restrictions that will limit their utility. This trade, if rendered really free, will in a few days do more to improve the condition of this

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country than the repeal of millions of taxes; and now is the time for us to insist on having secured to us all the advantages which can possibly be derived from it. With regard to the political power which is about to be again confirmed to the East India company, it is of the most extensive kind. It is no less than placing in their hands the absolute and irresponsible control over the lives, liberties and fortunes of nearly a hundred millions of men. The dominion of the company was acquired with the sword, and established by bloodshed, robbery and injustice; let us take care that an authority so acquired is exercised in such a manner as will compensate the nations of India for what they have suffered, and will gradually, by affording protection to all, convert a government of force and power into one of right and justice.

The following are the great points in the memorandum, or paper of hints, submitted to the company by the government, as the basis on which the proposed arrangements are to be made all the rest being mere matter of detail—

1st. The cessation of the China monopoly.
2d. The financial affairs of the company.
3d. The future government of India.
4th. The right of settlement and residence in that country.

1st. The cessation of the China monopoly. The government proposes that the exclusive right of the company to trade with China shall cease at the expiration of their charter; that the tea trade shall be thrown entirely open, and that tea shall be imported into the outports as well as into London, under certain restrictions, which we trust will, on further consideration, be abandoned. The directors, as might have been expected, object to the opening of the only profitable branch of trade carried on by them. They assert that the profits of this trade are necessary to supply the deficiencies of the Indian revenue, and that if they had not possessed the monopoly of the tea trade, they would have been compelled, during the last few years, to add £17,000,000, to the territorial debt.

To this the government very reasonably reply, that it is rather too much to ask that the people of England should be compelled to pay for the deficiencies of the Indian revenue, and that as that revenue amounts to twenty-two millions a year, it ought to be sufficient. The directors rejoin by asserting that the £17,000,000 was paid out of the profits of trade, and therefore cannot be said to have been paid by the people of England. This would be true if these profits accrued in the ordinary course of trade; but as they arise from the circumstance of the company, which is without competitors, selling its teas about twice as dear as the merchants of America, Holland and Hamburgh, and in that manner realizing monopoly profits at the expense of the people of England, it is not so. To the people of England it is exactly the same thing, whether they pay two or three millions directly towards the government of India, or two or three millions indirectly for the same purpose, in an exorbitant price for one of the most important necessaries of life. They are equally deprived of their money in either case. As soon as the monopoly ceases, tea will sink in this country to about the same price as it fetches in New York and Hamburgh, and the abolition of the monopoly will therefore at once open a new trade to the British merchant, and free the British public from a tax of two or three millions a year, which is now paid to the East India company as they say, to supply the deficiencies of the Indian revenue, but, as we suspect, to support a system of extravagance and mismanagement, which must cease with the cessation of the ways and means for carrying it on.

The second point is the financial affairs of the company. The government proposes to pay to the company an annuity of £610,000, which is ten and a half per cent. on its original capital, on condition of its surrendering all its territorial and commercial capital. This annuity is to be paid out of the revenue of India, so that it will bring no burden upon the people of this country. The proposed terms are very advantageous for the company. The proprietors will by them be secured in the possession of their present incomes, without risk or trouble to themselves. If the company should be so foolish as to refuse these terms, it will either have to carry on business without a monopoly, or to sell off its stock and divide the produce among the proprietors; in the former case it will be in the Gazette in a couple of years, for no trading company ever can compete successfully with the enterprise, activity and economy of private merchants; and in the latter the proprietors may think themselves fortunate if they obtain a third part of what government offers them, for their assets consisting principally in immense ships which no private merchant would purchase, and in warehouses in India, China and England, ill adapted for the use of private traders, could not be turned into money without very great loss. If the proprietors are wise, they will compel the directors to accept the terms offered by the government.

The third point of importance is the government of India, which is to remain in the hands of the company, if it accedes to the terms proposed. The directors make some demur, but will accept these terms if they can obtain no better, for though the opening of the China trade will diminish their patronage, they will still retain enough to make their directorships well worth having. If this arrangement is made, the government will escape the perils of another India bill. How the system will work for the natives, is, however, a very serious question. The government of the East India company is many degrees better than any government that the Hindoos ever possessed before, but it is still as absolute a despotism, as that of Russia or Spain, and the system of taxation is grievously oppressive. If, therefore, the government of India is committed to the directors, it will be the imperative duty of parliament to see that their authority is used in such a manner as will not only secure the natives in the enjoyment of the very few rights which they at present possess, but as will ultimately prepare them for the enjoyment of much more extensive ones.

The fourth point is the colonization of India. Europeans, according to the proposed arrangements, are to have the right of settling at Calcutta, Madras and Bombay, without restriction, "but their right of visiting the interior, or of residing there, and of acquiring or holding property, is to be subject to the restraints and regulations which the local government may impose." The local government will be under the direct influence of the court of directors, whose object has always been to prevent Europeans from visiting, trading or settling in the interior, and if this power is committed to them there will be no trade with the interior, no holding of property by Europeans, and no improvement in the moral or political condition of the inhabitants, or in the products of the soil. We trust that this part of the measure will be firmly resisted by the friends of India, and of England. The only method of improving the condition of the Hindoos, and of rendering India extensively useful to this country, is to allow British subjects to carry their knowledge of the arts of life into the interior and to permit them to apply them to the development of the vast resources of that country. If the colonization of India is to be restricted at the will of an irresponsible body, like the court of directors, deeply imbued with the spirit of monopoly and exclusion, there will either be no colonization at all, or none that will produce any benefit either to India or England.

As we shall have many opportunities of returning to this subject, we shall only repeat at present that it is one of the greatest importance, and that the prosperity of our own country, and the happiness of the oriental world, both depend on the manner in which it is settled.

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A meeting of the East India proprietors was held in London, on the 25th March, for the purpose of receiving from the directors, communications relative to the correspondence and negotiations which have taken place between the government and the East India company, on the subject of the renewal of their charter. The attendance was very numerous, and some of the documents laid before them were of the very highest importance; involving, as they do, the commercial concerns of the British empire, and the interests of so many millions of her subjects. From these proceedings we now learn the nature of the terms which the government has proposed for settling the great question relative to the trade and political administration of India. After various interviews between earl Grey and Mr. C. Grant, a plan has been agreed to, of which the following are stated to be the principal heads. At the same time it was stated to the proprietors that although the arrangements, on the whole, appeared to be eligible, the subject was left open to discussion, and government would be ready to weigh the merits of any other scheme that might be suggested—

1. The China monopoly to cease.
2. The East India company to retain its political functions.
3. The company's assets, commercial and territorial, to be assigned to the crown, on behalf of the territorial government to India.
4. An annuity of £630,000 to be granted to the company, payable in England half yearly, to be charged on the territorial revenue of England, not to be redeemable before the 25th of April——, and then to be redeemable at the option of parliament on the payment of £100 for every £5 5s. of annuity.
5. The revenue of India to be chargeable with all the expenses incurred on account of that country either at home or abroad.
6. The new annuitants to retain their character of a joint stock company, the qualification and right of voting to remain as at present.
7. The number of court of directors to be one-fourth going out in rotation every year.
8. The patronage, civil and military, to remain with the directors as at present.
9. The civil servants of the company to be educated at Haleybury. The number of students always to be greater than the probable number of vacancies. To remain in the college for ——.
10. The directors to fill up the vacancies each year. Each director to appoint in his turn.
11. The 47th section of the 53d of Geo. III. to remain in force, but to be made applicable to removals as well as to appointments.
12. Every British subject to have the right of going to, settling at, either of the presidencies without license; but the right of going into, trading or settling in the interior, to be subject to such restraints and regulations as the local government might require.
13. The board of control to have right of altering despatches; and, on the refusal of the court of directors to send them out, to have the power of sending out such despatches themselves.
14. The appointment of governors to remain, as at present, with the king. The veto still to continue with the court of directors.

Before breaking up, the meeting agreed that the consideration of the question should be adjourned to the 14th of April.

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## IRELAND.

**Mr. O'Connell's** *speech in the house of commons, on the third reading and final passage of the "coercion bill"*

Mr. *O'Connell* said that he did not rise to implore—to entreat—much less to cringe—on behalf of the nation to which he belonged, which, though subject to this, was yet a distinct one ["no, no"]; he called upon the house not to pass this atrocious, this audacious bill, which, though it had received some improvements since it left the other house, where it had been supported by the lord chancellor; though the press had been left safe, and many of its original horrors had been mitigated, yet was still atrocious enough to justify him in calling upon the house not to insult the Irish nation by putting down their right of petition, and by treating crime, not by the ordinary process of law, but by opposing crime to crime, and revenge against revenge. The honorable member for St. Alban's had said, that there had been few petitions from England—not fifty—against this bill; he [Mr. O'Connell] asserted that there had been at least seventy. But when it was considered that the leading press of London had either been silent on behalf of them (the opponents of the bill), or had taken part against them, was it surprising that the feelings of the people of England should not be expressed loudly in their behalf? The bill had two parts, one unfounded altogether, the other founded on some melancholy facts, to which an unconstitutional remedy was applied. He still contended that no case had been made out for a measure which enabled a lord lieutenant to prohibit any meeting however peaceable. What became then of their offers of generosity; give him justice; he laughed to scorn their offers of generosity. Were there any grievances in Ireland? When he was asked why he regretted the loss of meetings, he asked in return, were there no grievances in Ireland? No one had been hardy enough to deny there were grievances in Ireland. If there ever was a country in which agitation was necessary, where it became a sacred duty, it was Ireland at this moment. Shew him, in their agitation, that they had ever stated as a grievance what was no grievance. [Hear.] He challenged any one to point out an instance in which a grievance had been exaggerated or imaginary. The common law and the magistracy were sufficient to put down the evils complained of without recourse to this measure. If you put down agitation, you put down the principles which recently renovated your constitution, which were carried too far when they brought one monarch to the scaffold, and were not carried far enough when they only banished another from the throne. But it was said that this bill must be made a law, because it was to be accompanied by healing measures. Healing measures! he defied the present ministers to point out any healing measures which they had proposed for the benefit of Ireland. The Irish reform bill was said to be one; that bill did, indeed, follow the English reform bill, but it was a narrow, insufficient, oligarchical, and insulting bill. What other measures could the ministers point to? Not one. And yet Ireland had grievances, even the right honorable gentleman admitted that, and one of its chief grievances at present was an administration which had deceived it. [Hear.] They had made great promises to the people of Ireland, but they had done nothing for its benefit. That people labored under great grievances—what ought to be done to relieve them? To allow them to meet peaceably and to petition for their removal, and so to obtain the confidence even of their most disturbed districts. He exclaimed against the injustice; he abominated the calumny; he treated with scorn in an assembly of freemen the assertion that the language used at public meetings in Ireland was too strong and bold. This was the language which lord Castlereagh applied to the petitions of the people of England, when he sought to gag them with the six acts. This was the language which tyrants always used when they wished to varnish over the oppressions which extracted the groans and lamentations of tormented millions. If the grievance was real, the terms in which you depicted it could not be too bold,—if the suffering which it caused was past endurance, the terms in which you described the manner in which it made the iron to pierce into the soul could not be too violent. He had now done with his objections to the first part of this bill; he now came to the second part of it, which contained two frightful clauses. One of them instituted courts, which, for want of a better name, ministers had been pleased to call courts-martial. Courts-martial they were not; they were, as he had styled them, revolutionary tribunals. But what signified the name by which they were called, when the country was compelled to bear the frightful thing? The clause appointing them annihilated the trial by jury—drove from the bench the judge who had been taught by long experience to distinguish what was evidence from what was not—turned out of the box those whom the accused might challenge, even if their countenances displeased him, got rid of the forms which were established for the protection of innocence; and of those sanctions which were instituted to prevent even guilt from being unjustly convicted, and in their stead erected a new tribunal of five or six military officers, selected at the arbitrary discretion of the crown.

Such men—he spoke of them in their judicial capacity alone, for in their private capacity he did not mean to impeach their honor and integrity—such men had not either the education, the habits, the patience, or the assiduity which were required of judges. He had never yet been satisfied with the decision of any court-martial he had seen. ["Oh, Oh."] That might be his bad taste; but he would even go further, and state that he had never been satisfied with the decision of military men when acting upon other tribunals. That might be bad taste also: but it was his opinion, and therefore he was bound to state it. He therefore asked every honest Englishman who heard him, not to hand over the people of Ireland to these mongrel pseudo-military tribunals, which were called courts-martial, but were so in nothing but the name. What evidence had been submitted to their consideration to justify them in establishing these revolutionary tribunals? First, there was a red box, then, to make the evidence stronger, there were ten or eleven anonymous letters; and, last of all, to crown the climax, there was a a vulgar ballad. Would they, upon such evidence, annihilate the trial by jury? This court-martial clause was accompanied by another, which gave the most unprecedented indemnity to every military man who acted upon it; for if he was guilty of outrage in the execution of it, he could only be punished by court-martial; and if he left the army before the court-martial was summoned, he could not be punished even by that. As to putting down predial agitation, he had himself suggested a clause by which it could have been put down legally, and by which your constitutional law would have been made stronger than it was at present.

But that clause they had refused, because it came from him—from him who had twice the anxiety which they had to put down disturbance and outrage. ("Hear," and a laugh.) If he had doubted before regarding the policy of repealing the union, could he entertain a doubt regarding it after the transactions of that evening, in which he had seen his honorable friend, the member from Kildare, received almost with a yell because he dared to raise his voice in behalf of his injured country? The rulers of England thought that they might oppress Ireland, because her people were divided among themselves. Separated they indeed were; but let them once become united, as he trusted they would soon be, and they would tell those who talked to them about the generosity and kindness of England, that it was not generosity and kindness they wanted, but equality and justice. They would say to the ministers of England, "govern your own beautiful country as you please—legislate for Britain wisely and well—but we Irishmen, bearing allegiance to a common king, and living under a common constitution, will legislate for ourselves." Government might depend upon it that they were not putting down but strengthening the cry for the repeal of the union by these coercive measures; that they were not retarding but accelerating the progress of Ireland to that great act of justice of which he was the humble advocate, and that they were adding energy to the demands of the people by refusing to hear them when calmly and dispassionately urged, and by sneering at the beards of Galway and the uncouth names of Irish parishes, as if the people of Ireland were their subjects and not their coequals. He repeated that the people of Ireland were not 8,000,000 at present, because they were divided, but they would be 8,000,000 when they had

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done with the fears of some and the prejudices of others. He had now performed his duty to his country. He had denounced it as unjust, tyrannical, and unnecessary, as regarded predial agitation, and as mischievous and unwise as regarded political agitation. If it were passed, in heaven's name let no man talk again of the union between the two countries. Where was the union now? In that house there were 105 members from Ireland, 543 from England and Scotland, many of the latter joining in sympathy with the representatives of Ireland, but overwhelmed by a powerful majority, which did not scruple, from its confidence in ministers, to perpetrate upon Ireland a monstrous injustice. He had done, he repeated, his duty upon this occasion to his country. He had called for inquiry—that inquiry which England had never instituted before she inflicted punishment upon Ireland. He had implored the house for investigation; that investigation had been hitherto refused. It was not yet too late to afford it to the demands of Ireland. He therefore once more entreated the government to pause whilst it was yet upon the threshold, and to halt in its career whilst it was yet time. Give us inquiry, and all may yet be well; but refuse us inquiry, and then see what a conciliatory government you are.

## CONGRESS OF MEXICO.

[*Translated for the Pennsylvanian.*]

**Discourse pronounced by Manual Gomez Pedraza, president of the Mexican republic, at the opening of the general congress, on the 29th March, 1833.**

CITIZEN REPRESENTATIVES:

When in 1829 I adopted the voluntary resolution of self-banishment, to save my country from the horrors of civil war, my constant prayer to heaven was, that if I ever preferred my private interests to the public welfare, the punishment to which I had thus freely subjected myself might become perpetual; but that if my life and conduct had been consecrated to the good of the nation, she might remember and restore me to her inestimable society. And, in fact, the sovereign states, the liberating army, and a vast majority of the people, proclaimed my return; and from the abject class of the proscribed, I was raised to the honorable position of supreme chief of the republic. In that extraordinary event, no secret springs—no family interest had any share; still less was it attributable to the demands of powerful relatives—the affecting supplications of a tender spouse—the piteous grief of children, or the ever repeated efforts of a brother who identified his fate with mine. Such meditators brought back to Rome Popilus, Cicero and Marius—but I was recalled to my country by the spontaneous acclamations of the army, and by the free resolves of sovereign congresses. Those renowned citizens of ancient Rome were restored from banishment by the death of their enemies; whilst I have enjoyed the same blessing, when those whose influence compelled my exile were still in the full enjoyment of power, and contributed most themselves to restore me to the bosom of my country. Whoever owed more generous return to the people than I? To the Mexicans, I owe every thing; and those who were my enemies, have overwhelmed me with honors and distinction.

On my arrival at Vera Cruz, parties were engaged in a mortal struggle. The chambers rejecting all measures of conciliation, closed the door to all accommodation. The liberals, who could expect nothing from the public power, balanced on their swords their own fate, and future destiny of their country. War raged in every quarter, and the keenest foresight could discern no limit to the bloody struggle. Such was the state of the republic, when I landed on its shores.

The belligerents, concentrating their forces, were approaching each other; those of general Bustamente moved from the states of the interior, upon the capital of the confederation: those of general Santa Anna abandoned the siege of Mexico, and advanced to meet them. All, in a word, announced a new Pharsalia, as decisive of the fate of our nation as that was of the destiny of Rome and of the world.

Under these circumstances, I directed my course to the city of Puebla. The armies were approaching that capital. The blood of the Mexicans was flowing in torrents, and the fields of Posadas, strewed with corpses, called aloud for an authoritative intervention by a peaceful reference. The nature of the affair, required it at the moment. A truce, during which the consent of the states to any treaty might be solicited, was of difficult attainment in the heat of passion, whose angry violence brooks no delay. Several legislatures, whose opinions were known, had rejected such conciliation as the case required, and at best the truce could only have produced the fatal effects which others had done—namely, to give time to the parties to repair their losses, and to unbridled rage more activity and daring.

These powerful considerations, the outcry of afflicted humanity, and the most holy duties which my return to my country imposed upon me, decided me to improve the happy moment to conclude a peace. The mild and generous character of the Mexicans, and the philosophic disposition of the generals and chiefs of both armies, inspired me with the idea of initiating a fraternal reconciliation; but political opinions being various, and individual interests opposed, it was indispensable to recur to a certain, recognised, incontrovertible principle; and this principle is the national sovereignty, the fountain, and original of public power. What other principle but this could in a disturbed community, regulate contrary opinions, accommodate adverse interests, and reconcile contradictory views? Whilst a question which embraced the very existence of our civil society was discussed by force of arms, where was the august tribunal to decide it? Undoubtedly there was none other than the people, for in it alone resides that boundless power indispensable for the solution of such difficulties. The history of the ancient republics, and even of monarchies, demonstrate this truth. The most despotic kings in political crisis, have turned, as to the ark of salvation, to the convocation of states general, extraordinary congresses, diets and other representative bodies, which, under different denominations, have had no other object than to consult and revere the will of the people. Within the people, all citizens are comprehended—all private interests are there embraced, and parties and passions vanish or are neutralized in the common mass, where, of course, alone are found certain and impartial decisions.

Such were the guiding principles of my conduct in December last. Society shook to its foundations—public confidence violated—the laws contemned—the state was on the brink of a frightful crisis. The persons occupying the supreme authority, were in conflict with a majority of the nation, and instead of directing these wonderful events with skill and tact, by an inexplicable perversity, obstinately resisted the public wish. To attain to a proper result in this general confusion, it was necessary to silence the noisy strife of arms, and then listen to the supreme will of the nation. The armistic concluded on the 9th December, accomplished the first object, and the convention of Zavaleta fulfilled the last. Were this a proper place, I might describe the memorable interview, held at that estate between the generals, chiefs and officers of the contending forces. Beneath the dusty roof of a rustic and nameless edifice, questions all important to the public welfare, were freely discussed: there good faith, republican liberty and pure patriotism shone resplendent: there private passions were repressed by sound reason: and there, in fine, the military gave a new proof of honor and civic virtue, by generously yielding up their commissions, and bowing with reverence to the supreme will of the people. The meeting at the estate of Zavaleta, presented a picture of deep interest to the philosophic observer: there shone forth in splendor all that was august and noble: the men who composed it—the very men who two short weeks before, amidst the smoke and roar of artillery, sought each others extermination, there presented in their sedate and composed countenances, the magnificent spectacle of a patriarchal assembly. Never did an insolent aristocracy in its orgies offer to the world a reunion of citizens as disinterested in their views—as noble in their conduct.

This, citizen representatives, is a passing sketch of what occurred at the estate which gave a name to the convention of pacification: a convention at the time applauded by those who now load it with invectives, and which has since been sanctioned by the nation itself.

This plan—the work of philosophy and sound judgment, bitter as it may be to the enemies of democracy, will stand for us a monument of honor, and a lesson instructive to our posterity, for it records forever to Mexicans, that *in the people, and in the people alone, resides the mass of sovereign power, which is all-sufficient to rescue them from the greatest perils.* When the inflammatory pamphlets—now scattered in profusion, and the names of their authors shall be sunk in oblivion, this plan of pacification, the object of their present rancour, will occupy a brilliant spot in the history of the world.

But in proportion as this document affirms the important dogma of popular sovereignty, it has been a scandal to the aristocratic party, for in it men regard their privileges as an outwork to their ulterior pretensions—it is not wonderful, therefore, that they attack with rage, a plan which has forever prostrated a power they have so ferociously abused.

Invested on the 26th December, with the supreme power, I endeavored as far as human nature admits to rise superior to mean passions, and to divest myself of all party spirit—I marked out for myself the path of justice in my conduct, impartiality in my judgments and toleration towards all. The difficulties I have had to overcome, admit of no explanation. I know not whether I have succeeded in the administration, nor is it easy for me to pass judgment thereon. If I might have performed my duties better, and did not attain to that perfection, that nation which has loaded me with so many favors, as a last indulgence, will overlook my errors.

At my entrance on power, I found an exhausted treasury, loaded with an immense debt, countless arrears in payment—widows, orphans and pensioners plunged into misery. Through the proper department, I entered into arrangements with the mercantile interest, whereby, with perfect security to it, the treasury has realized receipts to satisfy its most pressing claims far beyond what could have been anticipated. Great economy has been effected, and national credit and public confidence restored. If the same system of economy shall be maintained, if the maritime custom houses shall be placed in better regulation, and if the important bank on the public credit shall be established, our income will augment, and the expenses of government, and the immense debt that weighs upon it, will be protected. The secretary of the treasury will promptly take the necessary initiative steps, the early adoption of which, I most

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earnestly recommend to the legislature, as upon them depends our political existence.

Nor of minor interest is the arrangement of the administ[illegible]ion of justice. With a heart deeply penetrated with th[illegible] evils of the country, and animated with the most lively de[illegible] to correct them, on the very day on which I entered upo[illegible] the federal government, I devoted myself to an attentiv[illegible] examination of the actual state of the administration of [illegible]tice. Convinced that upon it depend essentially the bless[illegible] which the constitution and the laws secure to the citiz[illegible] under the name of private rights and guarantees; the ful[illegible]ment of which produces public and private morality and [illegible] solid happiness of man, I, from time to time, issued [illegible] orders as my functions authorised to invigorate this bra[illegible], which was found but too much debilitated by circums[illegible]ces. I recommend most earnestly the early adoption of [illegible] reforms which will be duly presented to the congress of [illegible] union, by the secretary of that branch.

The [illegible]epartments of war and the marine, will also, in proper time initiate the measures which I stipulated for in the plan of Z[illegible]aleta and others, which may lead to the indispensable re[illegible]orm of the active and permanent army. That army, the mark of obloquy to the ungrateful, has successively resolved the two important problems of independence and liberty; and although it has fallen into the disorganization attendant upon revolutions, the time has arrived to re-organize it in a manner suited to our republic. The elements of which it is composed present fine materials for a useful reform. The generals and chiefs in command of it, wish to see its discipline restored. To the general congress it appertains to prescribe organic laws, adequate for the purpose.

In the development of the past revolution, more than fourteen thousand men of all arms were assembled in the capital, from the most remote points of the republic. The troops of the line withdrew, and have already reached their respective states—those of the militia have marched to their several districts, and it being the constitution of these useful corps, formed from the industrious and laboring citizens, to withdraw from active service when the emergency is past which calls them forth, the greatest part of them have retired—producing an annual saving to the public treasury of three millions seven hundred and odd dollars.

In regard to our foreign relations, they remain in a favorable state, and nothing has occurred recently but the notice (although inofficial) of a political change in Spain. The government has not neglected the national interests in this particular, nor forgotten the legislation therewith connected. *I have reason to believe that the government at Washington appreciates our political regeneration, and will shortly give us proofs of it.* The enlightened people of the United States of the north, cherishes our social felicity, and applauds the triumph of liberty.

Here terminates this very rapid expose of the state of the nation. Actual witnesses of the events, the Mexicans require no details to judge of the condition of the republic. The civilized world is regarding us, and desires to be more intimately informed of our situation—we are bound to satisfy this desire, and it will be complied with by the reports which the four secretaries of the republic will present, within a few days, to this august assembly, and which accompanied by a brief manifesto, will be printed. These documents, written with republican sincerity, will narrate our dissentions and errors; but they will show at the same time, that if the Mexican people has defects and vices, as every nation has, it is also endowed with skill to avoid the precipice, with energy to reclaim its outraged rights, and to cause its sovereignty to be respected.

Having concluded the historical part of our occurrences, may I be permitted to say a word on the political course of my administration. It has been magnanimous, frank, and liberal; and be the sarcasms of the opposition what they may, it is manifest, that from the 26th of December, when I received the reins of government, a gun has not been fired, a tear has not been shed, none have been arrested, none persecuted—in a word, the action of the government has been energetic and constant, but unperceived. Who can argue against facts? Legislators! may Almighty God grant that Mexicans may for ever enjoy the peace and liberty which the plan of Zavaleta obtained for them.

Some generals and a few officers alone, through error or caprice, incurred the pain of deprivation of their rank, imposed by the 11th article of that compact on those who did not adhere to it. I, as the supreme magistrate and guarantor of the convention, found myself under the painful necessity of declaring them within the terms of the said penalty, until the decision of the general congress could be had. I protest most solemnly that such an order cost me an effort to rise above the sentiments of my heart. The idea of an abuse of power never occurred to me, but as a man in public station, I was compelled to execute a painful duty—it was performed; but when I this day render an account of my proceedings to the representatives of the people—this day, when I am on the eve of retiring for ever to oblivion, allow me to present my earnest supplication as a simple individual to every one of the members of this dignified assembly in favor of those citizens. The representatives of a generous people ought to be magnanimous. I flatter myself that my entreaties will be heard, and I already anticipate the high gratification of knowing that those generals, chiefs, and officers are restored to their rank, emoluments, and full enjoyment of all their privileges. It is but just that I should at the close of my public career, recommend that concord which I invoked when I arrived at Vera Cruz to fulfil the orders of the sovereign people.

[illegible] our actual poli[illegible]al condition be compared with the sad state of the republi[illegible] the preceding November, we shall find abundant gr[illegible] to congratulate ourselves. Then the genius of evil presided over our destinies—then desolation and death menaced the young and the aged. Now peace reigns throughout the republic, and our citizens repose in freedom and security. The very malcontents who assail the government with senseless carpings, enjoy every privilege and security, and live free from all molestation. At that unhappy period, Mexico suffered from its government an internal hostility far more ominous than the attacks of a foreign enemy. The estates of those in easy circumstances were daily frittered away by forced contributions—it was no longer lawful to speak, far less to write—the prisons were full, and none could count on the security of the domestic asylum. Mexicans who hear me, is not what I assert true?

But since the people recovered their rights, who has aught to complain of? Men speak and write freely what they think—property is respected—the prisons are devoted to actual criminals, and the house of the citizen is sacred and inviolable. Then—but why recur to scenes which should be forgotten for ever. Suffice it to say, that society was then fast hastening to dissolution—now it is re organized and reformed. The nation now reposes upon a congress elected by the people, composed of men well known in an eventful course of ten years, reared in a revolution, and schooled by misfortune. Now is nominated to the executive power an illustrious general, who well knows how to direct the glory and influence with which victory has encircled his brows, to the practical good of the people who honor him. This general has brought to a close, enterprises of the most extraordinary daring, of admitted utility originating in his own capacious mind, and conducted with courage and perseverance. The hero of such exploits is doubtless a master spirit who will close the wounds of which his country is already convalescent. I rejoice at the prospect of such a successor, and I rejoice to behold the legislative power confided to the hands of upright citizens and federal republicans.

*Mexico, March* 29, 1833.

## MESSAGE OF PRESIDENT SANTANDER.

President *Santander's* message at the opening of the congress of New Granada, March 1st, is nearly as long as the last message of president *Jackson*. We translate a few paragraphs. The foreign relations of the republic are represented as generally satisfactory. [*Jour. of Com.*

The central republic of Colombia having been separated into three independent states, that of New Granada has respected the public treaties celebrated with the United States, Great Britain and Holland, doing justice to the claims founded upon those treaties, and although the respective diplomatic agents of the nations with which the Colombian government established relations have remained in this capital, recognizing *de facto* the new political form which New Granada has adopted, France alone has, as yet, formally appointed a charge d'affaires near the government of *New Granada*.

With the new American republics, among which an indentity of principles has formed a strict and natural alliance, the amicable relations which before existed have not been changed.

It is a satisfaction to the executive to announce, that throughout the vast extent of the state, peace and tranquillity are enjoyed, as the immediate effect of the adhesion of the great majority of the people to the existing institutions, and the care with which the executive and its agents cause the laws to be strictly obeyed. * * * The nation ought to make such provision that every citizen may learn to read, write, and calculate accounts—by applying, for the present, a certain portion of the national funds for the encouragement of parish schools.

The receipts into the treasury during the year ending 30th June, 1832, were $2,327,310 75, and the estimated expenditures of the present year amount to $2,171,621 47, exclusive of $346,080 for the purchase, freight and transportation of tobacco.

The foreign debt is one of the gravest matters which engage the attention of the government. We are debtors, and ought to pay. The constituent convention has recognised the foreign debt in the proportion which belongs to New Granada, and it belongs to yourselves to dictate some means by which its payment may be gradually effected. Whatever may be the result of the meeting of commissioners from the three states, New Granada is already pledged to satisfy a part of the debt which the republic of Colombia contracted. It will be honorable to the country and the representative body, to adopt some means at the present time, going to show that we desire to fulfil our solemn promises. Fortunately there are now in this capital, representatives of the stockholders, duly authorised to make certain propositions relative to securing the interest of the debt in future, and to a definitive arrangement of this affair. I entreat you to turn your attention to this delicate matter—to provide for hearing, by means of a committee of both houses, the inquiries and proposals of the representatives of our creditors—and to base the arrangement upon a prudent calculation of the share which falls to New Granada, be it more or less.

## LAW OF NEW YORK.

*An act to subject certain debts owing to non-residents, to taxation, passed April* 27, 1833.

The people of the state of New York, represented in senate and assembly, do enact as follows:

§ 1. All debts owing by inhabitants of this state, to persons not residing therein, for the purchase of any real estate, or se-

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cured by a mortgage on real estate, shall be deemed personal property within the town and county where the debtor resides; and as such, shall be liable to taxation in the same manner, and to the same extent, as the personal estate of citizens of this state.

§ 2. The assessors in each town and ward, while engaged in ascertaining the taxable property therein, and before the first day of June in each year, shall, by diligent inquiry, ascertain the debts of the description mentioned in the first section of this act, owing by the inhabitants of their several towns and wards, to non-residents of this state, and in a preparatory assessment roll to be made by them for that purpose, shall state and designate the said property, according to their best information, in four separate columns, as follows:

1. In the first column, the names of the creditors respectively, to whom such debts are owing;

2. In the second column, the names of any known agents of such of the said creditors, with the places of residence of such agents respectively;

3. In the third column, the amount of every debt owing to such creditor, of the description mentioned in this section, stating separately the amount owing by each debtor;

4. In the fourth column, the names of the persons by whom such debts are respectively owing, and the town and county of their residence.

§ 3. For the purpose of making such statement, and for the purpose of making an assessment required by law, the assessors of any town or ward, shall be permitted, without being required to pay any fee or charge whatever, to inspect the books kept by the clerks of their county, or in the city of New York, by the register thereof, in which mortgages are registered or recorded, or in which any contracts for the sale of land are recorded, and to inspect all unrecorded mortgages and contracts left with such clerk or register, and to take such extracts therefrom as they shall deem necessary.

§ 4. The assessors of any town or ward, or any of them, may administer an oath to any person whom they may think proper to examine, to make true answers to such questions as shall be put by such assessors, touching the subjects of inquiry directed by this act; but this section shall not extend to those cases where a list of debts shall have been furnished by the agent of any non-resident creditor, according to the provisions of this act.

§ 5. As soon as the assessors shall have completed their preparatory assessment rolls, and on or before the first day of July in each year, they shall cause a fair copy of the same to be made out, which shall be certified by them, or a majority of them, to be correct according to the best information they can obtain, and shall deliver the same to the county treasurer, of their county.

§ 6. If there shall reside in any county of this state, an agent of any non-resident creditor having debts owing to him of the description mentioned in the first section of this act, he shall, on or before the first day of June in each year, furnish to the county treasurer of his county, a true and accurate list of debts of the description mentioned in the first section of this act, which were owing on the first day of January preceding, to the principal of such agent by any inhabitant of this state, arranging such list according to the town and county of the residence of the debtors, specifying therein the name of each debtor, the town and county in which he resides, and the amount owing by him; which list shall be verified by the oath of such agent, to be taken before any commissioner of deeds, or justice of the peace.

§ 7. Any such agent who shall refuse or neglect to furnish such list, shall forfeit the sum of five hundred dollars to the use of the county in which he resides, to be sued for by the treasurer of such county in his name of office, and to be recovered upon proof that the principal of such agent had debts owing to him by inhabitants of this state, of the description mentioned in the first section of this act, and that the existence of such debts was known to such agent.

§ 8. The county treasurer who shall receive the certified statements of the assessors of his county, shall immediately make out from the said statements so furnished to him by the assessors, and from the lists received by him from the agents of non-residents a list of the debts appearing on such statements and lists, to be owing to persons not residing in this state, by inhabitants of any other county than that of such treasurer, for each county in which any such debtor resides; the said list shall be a transcript of so much of the original statements and lists furnished as above provided, as relates to the debts herein required to be stated, and the particulars thereof shall be arranged in the said lists, in the same manner as herein directed in respect to the preparatory assessment rolls of the assessors. In case it shall appear that the same debt has been returned by any assessors in their preparatory assessment rolls, and also in any list furnished by an agent of any non-resident, the county treasurer shall transcribe only one of such entries in the list herein directed to be made by him. The lists thus made shall be certified by such county treasurer to be correct abstracts from the statements and lists furnished to him according to the provisions of this act. The list made for each county shall be transmitted by or before the fifteenth day of July in each year, by mail, to the county treasurer of such county.

§ 9. Every county treasurer shall, as soon as he shall have received such abstracts from the other county treasurers, prepare from the said abstracts, and from the preparatory assessment rolls furnished to him by the assessors of his county, and the lists furnished him by the agents of non-residents, a list of all the debts appearing from the documents aforesaid to be owing to persons not residing in this state, by inhabitants of any town of his county, for each town in which such debtors reside; the said list shall be a transcript of so much of the said documents as relates to the debts herein required to be stated, and the particulars thereof shall be arranged in the said lists in the same manner as herein directed in respect to the preparatory assessment rolls of the assessors. If it shall appear that the same debt has been returned by any assessors in their preparatory assessment rolls, and also in any list furnished by an agent of any non-resident, or in any abstract furnished by another county treasurer, the county treasurer shall transcribe only one of such entries in the abstracts herein directed to be made. Such lists shall be certified by such county treasurer to be correct abstracts from the documents furnished to him according to the provisions of this act. The list for each town shall be transmitted by or before the tenth day of August in each year, to the assessors of such town or one of them.

§ 10. From the list thus furnished them by their county treasurer, the assessors of every town and ward shall correct and complete their assessment rolls, by entering in the same the debts appearing by such list to be owing to persons not residing within the state, by any inhabitants of their town or ward; which entries shall be made under the names of the respective non-resident creditors, and the amount owing by each debtor shall be entered in a separate line, and the particulars of such entries shall be arranged in the same manner as herein before directed in respect to the preparatory assessment rolls of the assessors.

§ 11. The time prescribed by law for completing assessment rolls in the several towns and wards in this state, is hereby extended from the first day of August to the first day of September in each year, and upon the assessment roll being completed, the assessors shall proceed in the manner now required by law, in respect to giving notice thereof, the leaving the rolls with one of the assessors, and their meeting together to correct such rolls; and the time prescribed by law for delivering such certified rolls to the supervisors, is hereby extended to the first day of October in each year.

§ 12. At the meeting of the assessors to correct their rolls, pursuant to the notice given by them, any creditor whose name shall be inserted in such rolls, or his agent may, by his own affidavit or other proof, adduce testimony to the said assessors to show that any error exists in the said rolls, or that any part of any debt therein stated is desperate and not collectable; and the said assessors shall review and alter the said rolls according to the facts so established; but no reduction of the amount of any debt shall be made at the instance of any non-resident creditor, whose agent shall have refused or neglected to furnish the list herein required of him.

§ 13. The assessment rolls thus completed shall be laid before the board of supervisors, who shall proceed as prescribed by law to assess the taxes to be raised for town and county purposes; and debts of the description mentioned in the first section of this act, shall be deemed to be personal estate within the town where the debtor resides, and shall be liable to taxation for town and county charges, in the same manner and to the same extent as any personal estate of the inhabitants of such town.

§ 14. In case any treasurer or assessors shall fail to receive in due season any list or statement required by this act to be transmitted to him, such officer may apply to the treasurer or assessors whose duty it was to furnish such list or statement, for a duplicate list or statement, as the case may require, which the officer to whom such application shall be made is hereby required to make out and certify in the manner herein before prescribed, and the same shall be equally valid with the original statement or list herein directed to be made; and if such duplicate lists or statements are obtained after the assessment rolls are completed by any assessors and delivered to the supervisors, the supervisors may notwithstanding correct any such rolls according to the facts contained in such duplicate; but such correction shall be made before the taxes are assessed.

§ 15. Every collector to whom any assessment roll shall be delivered, containing any tax upon any debt owing to persons residing out of this state, may receive from any inhabitant of his town the amount of the tax assessed upon the debt owing by any such inhabitant, and shall thereupon give a receipt for the amount so paid, to such debtor, which shall be presumptive evidence of the fact of such payment; and the sum so paid shall be deemed to be a payment by such debtor on the debt so owing by him to such non-resident creditor, and may be set off against the claim of such creditor, or of any assignee of such claim.

§ 16. If such tax shall not be paid by such debtor, the collector shall levy the same by distress and sale of the goods and chattels of the non-resident creditor within his town, in the same manner as if such creditor was an inhabitant of the town.

§ 17. When it shall appear by the return of any collector, made according to law to a county treasurer, that any tax imposed on a debt owing to a person not residing in this state, remains unpaid, such county treasurer shall issue his warrant to the sheriff of any county in this state, where any real or personal estate of such non-resident creditor may be found, commanding him to make of the goods and chattels and real estate of such

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non-resident, the amount of such tax as specified in a schedule to be annexed to the said warrant, together with the sum of one dollar for the expense of issuing such warrant, and to return the said warrant to the treasurer issuing the same, and to pay to him the money which shall be collected by virtue thereof, except the said sheriff's fees, by a certain day therein to be specified, not less than sixty days from the date of such warrant.

§ 18. The taxes upon several debts to the same non-residents, shall be included in one warrant; and the taxes upon several debts owing to different non-residents, may be included in the same warrant: and where several non-residents are included in the same warrant, the sheriff shall be directed to levy the sums specified in the schedule thereto annexed, upon the personal and real property of the non-residents respectively, opposite to whose names respectively such sums shall be written, together with the sum of fifty cents upon each non-resident, for the expense of such warrant.

§ 19. The schedules annexed to such warrant, shall be transcripts of so much of the assessment rolls returned to the county treasurer by the collectors, as relates to the tax directed to be collected, and the particulars thereof shall be arranged in the same manner as they appear on such assessment rolls.

§ 20. Such warrant shall be a lien upon, and shall bind the real and personal estate of the non-residents against whom the same shall be issued, from the time an actual levy shall be made upon any property by virtue thereof; and the sheriff to whom such warrant shall be directed, shall proceed upon the same in all respects, with the like effect and in the same manner as prescribed by law in respect to executions against property issued by a county clerk upon judgments rendered by a justice of the peace, and shall be entitled to the same fees for his services in executing the same, to be collected in the same manner.

§ 21. In case of the neglect of any sheriff to return such warrant according to the directions therein, or to pay over the money collected by him in pursuance thereof, he shall be proceeded against in the supreme court by attachment, in the same manner and with the like effect as for similar neglects in reference to an execution issued out of the supreme court in a civil suit, and the proceedings thereon shall be the same in all respects.

§ 22. If any such warrant shall be returned unsatisfied in whole or in part, in respect to any non-resident, the county treasurer, under the directions of the board of supervisors of his county, may file a bill in his name of office, in the court of chancery, whatever may be the amount so remaining unsatisfied, against such non-resident and his agents, and any other person having the care or possession of any property of such non-resident, for the discovery and sequestration of such property.

§ 23. On the filing of such bill, or on the coming in of the answer thereto, or upon such bill being taken as confessed, or the allegations therein being established, the court of chancery shall order such part of the property of such non-resident to be sequestered, as shall be necessary for the purpose of satisfying the taxes in arrear imposed as aforesaid upon the debts owing to such non-resident, with the costs of prosecution, and may order and direct such other proceedings as may be necessary to compel the payment of such tax and costs.

§ 24. The county treasurers of several counties may, under the direction of their respective boards of supervisors, unite in one bill against the same party, for the collection of taxes imposed on debts owing to non-residents, although such taxes may be payable to different county treasurers.

§ 25. Where non-residents who are parties to any bill filed according to the provisions of this act, shall have any known agent residing in this state, for the sale of their lands, or for receiving the purchase money on such sales, the court of chancery may, in its discretion, make an order that the service of the subpœna issued on the filing such bill, upon such agent, shall be deemed sufficient to entitle the complainant to an order for the principal of such agent to appear and answer such bill.

§ 26. The expenses of county treasurers, and such compensation as their board of supervisors shall allow them for their services, in executing this act, shall be county charges, and the expenses and charges for the services of assessors under this act, shall be town charges, and audited and paid as such.

§ 27. Whenever it shall satisfactorily appear to the assessors of any town or ward, by the oath of any inhabitant of this state, or by other proofs, that any debts due to such inhabitant, by residents in any other state, are by the laws of such state subject to taxation, and have been actually taxed in such state within twelve months preceding, it shall be the duty of such assessors to deduct the amount of such debts from the personal estate of such inhabitant.

§ 28. The comptroller shall prepare instructions and forms for the execution of this act, and shall cause a sufficient number of copies thereof and of this act to be printed and distributed to the assessors, county treasurers and clerks of the board of supervisors, in the state.

§ 29. This act shall take effect immediately after its passage.

*State of New York, secretary's office.* } This bill having been approved and signed by the governor of this state on the 27th day of April, 1833, I do hereby certify that the same became a law on that day. JOHN A. DIX, *secretary.*

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REMARKS ON THE PRECEDING LAW.

*From the Albany Argus of May 2.*

We omitted to notice in our summary of the more important public acts passed at the late session of the legislature, the bill "to subject to taxation certain debts due to non-residents." It is a bill which must affect (whether favorably or unfavorably remains yet to be seen) the interests of those sections of the state in which the lands of the Holland land company, the Pulteney and other estates are situated; and which are now under mortgages, probably to an immense amount, for the original purchase money; all of which are intended to be reached by the bill. We shall publish it to-morrow.

*From the New York American of May 6.*

The law *to tax debts* due to non-residents, is published in our columns to-day. It is of this law that the Argus, the official paper, says, with 'bated breath, and in most cautious phrase, "that it remains to be seen" whether its effects will be for good or evil; just as was well put by a Baltimore paper, it remains to be seen whether the sun will rise to-morrow, but with no other uncertainty as to the result. A more iniquitous law never was passed; and certainly no one which should be more resolutely questioned and opposed through all the courts, by the parties, or the agents of the parties, whom it is meant to despoil.

The city of New York has looked quietly on the perpetration of this injustice, as though it were an act by which her immediate interests would not be affected, and reasoning apparently upon the perilous fallacy, that others' property may be struck at with impunity, so her's be untouched. But there are clauses in this act, if we mistake not, which are intended to reach every debt due upon real estate in this city; and every dollar loaned by the residents of any other state in this union, as well as by those of foreign countries, is now made liable to pay for watching, lighting and paving our streets, and even for the turtle feasts of its aldermen. How far the enterprizing mechanics, who, upon this borrowed capital, have constructed, and are constructing, very many houses, will resist this law—which, if pronounced just and constitutional, must have the effect of driving away the foreigner with his wealth, and leave the resident borrower to the mercy of resident lenders in legal possession of a monopoly of the money market—we will not undertake to say: but it can hardly be doubtful, that when they are made aware of the truth, they will not see any cause to thank their "Solomon's in council" for such an act.

## MOTHER OF WASHINGTON.

*Fredericksburg, May 8.*

The president of the U. States, gov. Cass, secretary of war, Mr. Taney, attorney general, major Barry, postmaster general, and major Donelson, the president's private secretary, arrived in town on Monday evening. They were accompanied by a number of citizens from the District, captain Moore's company of national cadets, from Washington, captain Kinsey's company of riflemen, and captain Brockett's light infantry, of Alexandria, the marine band from the navy yard, as well as many strangers from the eastern towns. They were met a short distance beyond Falmouth by the marshals of the day, the Fredericksburg guards, the rifle company, and Fredericksburg blues junior, by whom the president and suite were accompanied to their lodgings.

A troop of light horse from the county of Fauquier, under the command of captain Tho's T. Fountleroy, also arrived the same evening.

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LAYING THE CORNER STONE. This ceremony took place on Tuesday, with very imposing effect. About 9 o'clock the president was escorted from his lodgings to the town hall, where he was introduced to a number of citizens and strangers, who called to pay their respects to the chief magistrate of the nation. The day was fine, and the occasion attracted a large concourse of persons from the adjoining counties. The procession set out from the town hall at half past ten o'clock, and moved according to the arrangement of the committee, in the order and through the several streets previously designated, to the site of the monument.

As the procession moved up Main street, the extended line, the various uniforms of the military, the glittering arms, the music, the dense mass that thronged the side walks, the crowded windows, overlooking the whole scene, altogether presented a view grand and imposing.

Arrived at the spot, after an appropriate prayer by the reverend E. C. McGuire, an address was delivered by the president, and also by Mr. Bassett, the place with the inscription deposited, and the other usual ceremonies were performed. The procession then returned to the town hall, where the proceedings were concluded, and the companies separated.

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The Fredericksburg Arena furnishes some further particulars of the ceremony above referred to, and of cir-

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cumstances connected with it. Among them we find the following—

A barbecue, in the old fashioned Virginia style, was prepared under an ample awning, in the beautiful grounds of Hazle Hill, which was partaken of by about five hundred persons. Among the invited guests present were the president and heads of departments, the military companies from a distance, and all strangers of distinction. About 4 o'clock dancing commenced and was kept up with considerable spirit until near sunset. The arrangements were excellent, and the entertainment did great credit to the contractors, Messrs. Blackburn & Curtis. There were, of course, neither toasts nor speeches, but every one seemed to enjoy himself, and the most perfect order and harmony prevailed throughout the evening.

Much credit is due to the monumental committee, and to the marshal-in-chief, colonel Bankhead, and his assistants, for the judicious arrangements made on the occasion.

We must not omit to mention the liberality of the steamboat and stage proprietors of the line between this and Washington, as well as the assistance rendered to them by the proprietors of other lines diverging hence. The gratuitous use of the boat and coaches was tendered to the use of the committee, for the president and suite, and the marine band, and but a very trifling charge made for the transportation of one of the military companies hither, and nothing for taking them back.

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THE MONUMENTAL CEREMONY.

*Address of the chairman of the monumental committee to the president of the United States, at the laying of the corner stone of the monument to the mother of Washington.*

In the name of the monumental committee, I present you, general, the plate which is intended to distinguish that stone just adjusted by the master of the lodge as the corner stone of this pile. I am happy, sir, that he who has defended his country's rights when perilled in the cause of freedom, her cities when the haughty foe, confident of success, pressed eagerly to seize their beauty and booty, has bled for her, risked life, fortune and honor in her cause, is here to add to the honors of this occasion. Who so meet to make a pilgrimage to this shrine of hallowed relics? Who so fit to seal the stone which crowns the corner of a monument to the mother of Washington, as he who now occupies that exalted station first filled by the son of that mother? Let the occasion, general, and its circumstances, excuse this, while we turn to remark more immediately on the object of our present regard. If we look to the page of history, or survey the earth, we see monuments have in every age and every clime, marked those spots distinguished by the happening of some great event, or risen as memorials of the once active virtues of departed worth. Frail man is ever apt to forget the past, and seek new hope of pleasure in the future. He seldom learns from the experience of others the means of attaining what he aims at, and too often stumbles over a new, unbroken tract, unmindful of the brightest objects by which he might trace his road to those distinctions after which natural desire so ardently toils. Hence, enlightened posterity canonize the fame of their ancestors by emblems the most unfading their minds can devise or their powers execute.

Such is our constitution, that the strongest appeals to our better feelings is through the medium of our grosser faculties. Thus monuments are lasting incentives to those who view them, to imitate the virtues they commemorate, and attain by their life and spirit, glory and honor. Nations share in the common sympathies of nature, and participate in all the honors heaped upon their mighty dead. In looking upon this monument, (raised chiefly by the munificence of a patriotic individual), the citizens of these states will remember that they are brothers. They will remember that here lie the ashes of the mother of the "Father of his country." They will acknowledge, too, this just tribute to the merits of her who, early deprived of the support of her consort, encouraged and fostered, by precept and example, the dawning virtues of her illustrious son, and nurtured into maturity those nobler faculties which were the ornament and glory of her waning years. They will acknowledge the hallowed character of this romantic spot, ever to be remembered as the place chosen for her private devotions—the spot to which she often led her offspring, and pointing to the order and beauty of the works of nature, here so eminently displayed, she guided their youthful minds to contemplate the power and benevolence of the great Author of their being. Here she taught the attributes of God—that to him, as their Creator, all praise belonged —that to glorify Him was the object of their creation, and to this end their every energy should be devoted. Here she asked, as a dying request, that her mortal remains might rest. Hallowed be this wish—sacred this spot—lasting as time this monument. Let us cherish the rememberance of this hour. Let us carry with us hence, engraved on our hearts, the memory of her who is here interred. Her fortitude—her piety—her every grace of life—her sweet peace in death—through her sure hope of a blessed immortality.

*To which the president of the United States replied as follows:*

SIR—To you, and to your colleagues of the monumental committee, I return my acknowledgments for the kind sentiments you have expressed towards me, and for the flattering terms in which they have been conveyed. I cannot but feel that I am indebted to your partiality, and not to any services of my own, for the warm hearted reception you have given me. On this occasion, as well as on many others, in the course of a life now drawing towards its close, I have found the confidence and attachment of my countrymen as far beyond my merits as my expectations.

We are assembled, fellow citizens, to witness and assist in an interesting ceremony. More than a century has passed away since she to whom this tribute of respect is about to be paid, entered upon the active scenes of life—a century fertile in wonderful events, and in distinguished men who have participated in them. Of these events our country has furnished her full share; and of these distinguished men, she has produced a Washington. If he was "first in war, first in peace, and first in the hearts of his countrymen," we may say without the imputation of national vanity, that, if not the first, he was in the very front rank of those, too few indeed, upon whose career mankind can look back without regret, and whose memory and example will furnish themes of eulogy for the patriot, wherever free institutions are honored and maintained. His was no false glory, deriving its lustre from the glare of spendid and destructive actions, commencing in professions of attachment to his country, and terminating in the subversion of her freedom. Far different is the radiance which surrounds his name and fame. It shines mildly and equally, and guides the philanthropist and citizen in the path of duty—and it will guide them long after those false lights which have attracted too much attention, shall have been extinguished in darkness.

In the grave before us lie the remains of his mother. Long has it been unmarked by any monumental tablet, but not unhonored. You have undertaken the pious duty of erecting a column to her memory, and of inscribing upon it the simple but affecting words, "MARY, THE MOTHER OF WASHINGTON." No eulogy could be higher, and it appeals to the heart of every American.

These memorials of affection and gratitude are consecrated by the practice of all ages and nations. They are tributes of respect to the dead, but they convey practical lessons of virtue and wisdom to the living. The mother and son are beyond the reach of human applause. But the bright example of parental and filial excellence, which their conduct furnishes, cannot but produce the most salutary effects upon our countrymen. Let their example be before us, from the first lesson which is taught the child, till the mother's duties yield to the course of preparation and action which nature prescribes for him.

The address which we have heard, portrays in just colors this most estimable woman. Tradition says, that the character of Washington was aided and strengthened, if not formed, by the care and precepts of his mother. She was remarkable for the vigor of her intellect, and the firmness of her resolution. Left in early life, the sole parent of a young and numerous family, she devoted herself with exemplary fidelity to the task of guiding and educating them. With limited resources she was able, by care and economy, to provide for them, and to ensure them a respectable entrance upon the duties of life. A firm believer in the sacred truths of religion, she taught its principles to her children, and inculcated an early obedience to its injunctions. It is said by those who knew her intimately that she acquired and maintained a wonderful ascendancy over those around her. This true characteristic of genius attended her through life, and even in its decline, after her son had led his country to independence, and had been called to preside over her councils, he approached her with the same reverence she had taught him to exhibit in early youth. This course of maternal discipline, no doubt, restrained the natural ardor of his temperament, and conferred upon him that power of self command, which was one of the most remarkable traits of his character.

In tracing the few recollections which can be gathered of her principles and conduct, it is impossible to avoid the conviction that these were closely interwoven with the destiny of her son. The great points of his character are before the world. He who runs may read them in his whole career, as a citizen, a soldier, a magistrate. He possessed an unerring judgment, if that term can be applied to human nature; great probity of purpose, high moral principles, perfect self-possession, untiring application, an inquiring mind, seeking information from every quarter, and arriving at its conclusions with a full knowledge of the subject; and he added to these an inflexibility of resolution which nothing could change but a conviction of error. Look back at the life and conduct of his mother, and at her domestic government, as they have been this day delineated by the chairman of the monumental committee, and as they were known to her cotemporaries and have been described by them, and they will be found admirably adapted to form and develope the elements of such a character. The power of greatness was there, but had it not been guided and directed by maternal solicitude and judgment, its possessor, instead of presenting to the world examples of virtue, patriotism and wisdom, which will be precious in all succeeding ages, might have added to the number of those master spirits, whose fame rests upon the faculties they have abused, and the injuries they have committed.

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How important to the females of our country are these reminiscences of the early life of Washington, and the maternal care of her upon whom its future course depended. Affection less regulated by discretion, might have changed the character of the son, and with it the destinies of the nation. We have reason to be proud of the virtue and intelligence of our females. As mothers and sisters, and wives and daughters, their duties are performed with exemplary fidelity. They, no doubt, realize the great importance of the maternal character, and the powerful influence it must exert upon the American youth. Happy is it for them and our country that they have before them this illustrious example of maternal devotion, and this bright reward of filial success. The mother, of a family who lives to witness the virtues of her children, and their advancement in life, and who are known and honored, should have no other wish on this side the grave, to gratify. The seeds of virtue and of vice are early sown, and we may often anticipate the harvest that will be gathered. Changes no doubt occur, but let no one place his hope upon these. Impressions made in infancy, if not indelible, are effaced with difficulty, and renewed with facility; and upon the mother therefore, must frequently, if not generally, depend the fate of the son.

Fellow citizens, this district of country gave birth to Washington. The ancient commonwealth within whose borders we are assembled from every portion of this happy and flourishing union, renowned as she is for her institutions, for her devotion to the cause of freedom and for her services and sacrifices to promote it, and for the eminent men she has sent forth to aid our country with heart and hand, in peace and war, presents a claim still stronger than these upon the gratitude of her sister states in the birth and life of Washington. Most of you, my friends, must speak of him from report. It is to me a source of high gratification that I can speak of him from personal knowledge and observation. Called by the partiality of my countrymen to the high station once so ably filled by him, and feeling, that in all but a desire to serve you, I am unworthy to occupy his seat; but sensible that to this position I owe the honor of an invitation to unite with you in this work of affection and gratitude, I am unwilling the opportunity should pass away without bearing my testimony to his virtues and services. I do this in justice to my own feelings, being well aware, that his fame needs no feeble aid from me.

The living witnesses of his public and private life will soon follow him to the tomb. Already a second and a third generation are upon the theatre of action, and the men and the events of the revolution, and of the interesting period between it and the firm establishment of the present constitution, must ere long live only in the pages of history. I witnessed the public conduct and the private virtues of Washington, and I saw and participated in the confidence which he inspired, when probably the stability of our institutions depended upon his personal influence. Many years have passed over me since, but they have increased instead of diminishing my reverence for his character, and my confidence in his principles. His Farewell Address, that powerful and affecting appeal to his countrymen, that manual of wisdom for the American citizen, embodies his sentiments and feelings. May *He* who holds in his hands the fate of nations, impress us all with the conviction of its truth and importance, and teach us to regard its lessons as the precious legacy he has bequeathed us. And if, in the instability of human affairs, our beloved country should ever be exposed to the disasters which have overwhelmed the other republics that have preceded us in the world, may Providence, when it suffers the hour of trial to come, raise up a Washington to guide us in averting the danger.

Fellow citizens: At your request, and in your name, I now deposit this plate in the spot destined for it—and when the American pilgrim shall, in after ages, come up to this high and holy place, and lay his hand upon this sacred column, may he recall the virtues of her who sleeps beneath, and depart with his affections purified and his piety strengthened, while he invokes blessings upon the memory of the mother of Washington.

## RAIL ROAD AND CANAL.

### MEETING OF THE BALTIMORE AND OHIO RAIL ROAD COMPANY.

At a general meeting of the stockholders of the Baltimore and Ohio rail road company, convened on the 8th inst. at the Exchange, in the city of Baltimore, by public notice duly given according to the provisions of the charter of the said company, to take into consideration an act of the general assembly of Maryland, passed at December session, 1832, entitled "an act to provide for the continuation of the Baltimore and Ohio rail road to Harper's Ferry, and for other purposes," and also, "an act passed at the same session of the general assembly, entitled 'a further supplement to an act to promote internal improvement by the construction of a rail road from Baltimore to the city of Washington,'" *Jesse Hunt*, esq. (mayor) was appointed chairman, and *Charles Carrol Harper*, esq. secretary.

The meeting having taken into consideration the acts of assembly herein above recited *J. L. Donaldson*, esq. offered the following resolution.

*Resolved*, That the assent of this company be and the same is hereby given to the act of the general assembly aforesaid, entitled "an act to provide for the continuation of the Baltimore and Ohio rail road to Harper's Ferry, and for other purposes," and that the president and directors communicate the acceptance thereof by this company to the governor of the state, under the corporate seal of the company, and the signatures of the said president and directors, on or before the 10th day of May, 1833, according to the provisions of the said act.

Which resolution was unanimously adopted.

*James William McCulloch*, esq. offered the following preamble and resolutions.

Whereas, the assent of this company has been given to the act of the general assembly of Maryland, entitled "an act to provide for the continuation of the Baltimore and Ohio rail road to Harper's Ferry, and for other purposes," and it is deemed expedient to confer on the president and directors of this company full power and authority to make any agreement with the Chesapeake and Ohio canal company, which they may think useful and proper for the commutation of the damages which the latter company might sustain during the construction and graduation of the said road, or any part thereof, between said places, and for postponing the further construction of the said road above said Ferry in the valley of the Potomac river, and generally for carrying into effect the provisions of the said act in such modified form as may be agreed upon by the said company and the president and directors aforesaid, and especially so as to avoid subscribing on the part of this company to the stock of the canal company, therefore,

*Be it resolved*, That the president and directors of this company shall be, and they are hereby clothed with full power and authority to make and execute on the part of this corporation, such agreement in the premises as to them shall seem expedient and proper.

Which were unanimously adopted.

*James William McCulloch*, esq. offered the following resolutions:

*Resolved*, That this company accept the act of assembly passed at the session aforesaid, entitled a further supplement to an act "to promote internal improvement by the construction of a rail road from Baltimore to the city of Washington, passed at December session 1830," and that the public interest, and especially the interest of the cities of Washington and Baltimore will be greatly promoted by the early construction of the proposed road between these two cities.

*Resolved*, That the president and directors be and they are hereby authorised to subscribe to all such portions of stock necessary to complete the said road from Baltimore to the city of Washington as may remain unsubscribed by corporations or individuals; and to borrow from time to time any sum or sums of money which may be necessary to enable them to pay the instalments that may become due on the stock so subscribed by them for the construction of the said road from Baltimore to the city of Washington, and that the said president and directors be, and they are also hereby, authorised to pledge the property and funds of the Baltimore and Ohio rail road company, as a security for the payment of any and every sum so borrowed, and the interest thereon for the construction of the road aforesaid.

Which resolutions were adopted by a vote of 25,454 shares in the affirmative, 820 shares in the negative.

The hon. *Jas. H. McCulloch*, offered the following resolutions:

*Resolved*, That the thanks of the meeting be explicitly given to the president and directors of the Baltimore and Ohio rail road company, for their resolute and persevering efforts in the prosecution of that work in the midst of difficulties and discouragement; and that they have exhibited as much skill and judgment as in so new and great an undertaking could be required of men earnestly seeking to promote the interests committed to them, and deserve the countenance and support of the stockholders and their fellow citizens.

Which resolution was seconded by gen. *William McDonald*, and unanimously adopted.

On motion, it was then resolved that the thanks of the meeting be presented to the chairman and secretary, and the meeting adjourned, *sine die*.

JESSE HUNT, *chairman*.

CHARLES CARROLL HARPER, *secretary*.

### MEETING OF THE CHESAPEAKE AND OHIO CANAL COMPANY.

*From the National Intelligencer of May* 10.

On the 7th inst. at our City Hall, a general meeting was opened of the stockholders of the Chesapeake and Ohio canal company, according to legal notice; when the following important report was presented by the president of the company:

*To the stockholders of the Chesapeake and Ohio canal company in general meeting.*

The president and directors beg leave respectfully to submit, along with a copy of the act of the general assembly of Maryland, in pursuance of which the present ge-

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neral meeting has been convened, a report, approved by them, of a committee of their board, appointed to confer with a committee of the board of directors of the Baltimore and Ohio rail road company.

By order, and on behalf of the president and directors.

C. F. MERCER, *president of the Chesapeake and Ohio canal company.*

*Canal office, Washington, May 7,* 1833.

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The committee appointed, by the order of the board of the 6th of April last, to confer with a committee of the board of directors of the Baltimore and Ohio rail road company, have performed that duty; and after several conferences with that committee, as well in Washington, as on the line of the canal, and in the city of Baltimore, beg leave to recommend to the president and directors the annexed terms of compromise, in lieu of the 1st section of the act of the general assembly of Maryland, entitled "an act to provide for the continuation of the Baltimore and Ohio rail road to Harper's Ferry, and for other purposes," and of sundry conditions contained in the said act; which, in all other respects, except the modifications thereof, contained in the annexed terms, is left unchanged.

The committee deem it unnecessary, if not inexpedient, to enter into a narrative of the various opinions expressed by themselves or the committee of the rail road company in the progress of their negotiation; but avail themselves of this occasion, to do justice to the candor which marked the course of the committee of the rail road company, and to express a hope, which the assurances of those gentlemen, composing that committee, tended to confirm, that if the proposed arrangement shall meet the approbation of both companies, the harmony, which it is so desirable to establish and preserve in their future progress, will be restored to their mutual benefit.

C. F. MERCER,
W. GUNTON,
W. SMITH.

The Chesapeake and Ohio canal company, and the Baltimore and Ohio rail road company, by their respective committees, covenant and agree to the following terms of compromise, subject to confirmation or rejection by their respect companies:

1st. To accept the act of the general assembly of Maryland, entitled "an act to provide for the continuation of the Baltimore and Ohio rail road to Harper's Ferry, and for other purposes," within the time limited by the said act for the acceptance thereof by both companies, so as to secure to each its intended benefits. And as the purpose which the legislature of Maryland had in view in passing the same, will be more effectually attained by a modification of some of its conditions, the said companies mutually and reciprocally covenant and agree, in the event of such acceptance by both faithfully to fulfil the conditions hereinafter inserted for their common benefit, and so far to modify those stipulated in their behalf by the act aforesaid, viz:

The Baltimore and Ohio rail road company, in consideration of the damage that may be done to the canal, and of the interruption or hazard to which its navigation will be unavoidably exposed, in the construction of the rail road along the margin thereof, bind themselves to pay to the Chesapeake and Ohio canal company, for grading the four miles and one-tenth of the road between Harper's Ferry and the Point of Rocks, hereinafter described, the sum of two hundred and sixty-six thousand dollars. The said four miles and one-tenth of the road shall consist of a space to be laid off between the entrance of the bridge at Harper's Ferry and a point two miles therefrom, according to the location of the said road, which point will be below Millar's Narrows: of one mile and one-twentieth, extending from a point opposite to the door of the chief public house, at the Point of Rocks, up the valley of the Potomac, comprehending the lower Point of Rocks; and of one other mile and one-twentieth, extending above and below the upper Point of Rocks, so as to comprehend the same; embracing all that part of the canal border at those places in which an interference exists between the location of a canal and rail road. In making as well as locating the said road, the Chesapeake and Ohio canal company shall act in conformity with their own judgment, subject to the conditions, as to the curvature, inclination of surface, and the breadth of the said road, which the act of the general assembly of Maryland prescribes, except that so much of the said road as is expected to be hereafter common to the Frederick and Harper's Ferry turnpike company and the rail road company, shall be of the breadth at the surface, of not less than thirty feet, instead of twenty, for the better accommodation of both these companies.

Should the canal company prefer it, they may begin the lowest section of the said road at any elevation opposite the tavern at the Point of Rocks, not exceeding four feet above that of the road now constructed at that place; and, in case of a change of the present elevation, the expense of raising the present road and its appurtenant fixtures, so as to adjust the same to the road below and to its extension above, shall be at the cost of the rail road company; and shall be done at such time as they may please to direct: provided, however, that at the lower termination of the pass, through Millar's Narrows, above mentioned, at both terminations of the pass by the upper Point of Rocks, and at the upper termination of the pass by the lower Point of Rocks, the Baltimore and Ohio rail road company may, if they please, in fixing the elevation of these points, or termini, unite an engineer of their own appointment, with the engineer of the canal company, charged by the same to make the location thereof, so as to adjust those points to the intermediate rail road, according to the terms of the said act of the general assembly of Maryland; and the canal company may, in like manner, unite their engineer with the engineer of the rail road company, in fixing the intermediate location of the rail road, according to the said terms.

In the construction of the graduated road aforesaid, for the four miles and one-tenth, before mentioned, and in satisfaction of all injuries that may be done the canal in the construction of the said road, and as indemnity for any injuries that may be done the navigation thereof, during the construction of the said road, payments of the $266,000 shall be made monthly by the said rail road company, in the following proportions, viz. one-twelfth part thereof on the 1st day of June next, and one twelfth part on the first day of each of the following months, until the said graduation shall be completed; but if the same be completed earlier than the twelve months, allowed therefor, the residue unpaid, at the time of such completion, shall be paid on the first day of the month next ensuing the same.

The passage to the Harper's Ferry bridge, across the canal, from the rail road, shall be by a pivot, or drawbridge; the expense of attending which shall be equally divided between the two companies; and the elevation of which, above the bottom of the canal, shall remain; as at present adjusted, at three feet above the bridge across the Potomac, unless it be, hereafter the pleasure of the rail road company to elevate it still higher. And the curves of the road, at the entrance of the defile or pass at the Point of Rocks, and at the crossing at the same point or drawbridge, being not provided for by the act of the general assembly of Maryland, shall be adjusted to the residue of the road, as conveniently as can be done, in the graduation of the rail road by the canal company.

All expenses to be incurred, in condemning, or purchasing ground, or materials, for the location and graduation of the rail road, through the four and one-tenth miles aforesaid, shall be, as, at all other places, where the land required, is not now, the property of the canal company, at the proper cost of the rail road company; and where the said road shall occupy ground, now the property of the canal company, the rail road company shall obtain, and convey to the canal company, an equivalent breadth of ground, along the northern side of the rail road, for the future supply of materials to the canal.

It is already, herein provided, that the portion of the rail road, at Harper's Ferry Narrows, shall be thirty feet in width, for the common use of the Harper's Ferry and Frederick turnpike, and the rail road companies. The canal company will allow the use by the rail road company, of any authority which they possess, to obtain permission from the turnpike company, to the rail road company, to lay their rails on the part of the said road common to both, the canal company being bound by their articles of agreement, only for the graduation of the said road, from the Harper's Ferry bridge, down to the point at which the said turnpike will diverge from the rail road, to ascend the hill above Millar's Narrows; and the rail road company shall, also, adjust the surface of that bridge to the elevation of the pivot bridge across the canal, at their own cost.

The rail road company agrees not to continue the rail road further up the valley of the Potomac than Harper's Ferry, until the Chesapeake and Ohio canal shall be completed as far as Cumberland, provided that the canal be completed therein, within the term allowed by the charter of the said canal company.

The period of twelve months from the date of the acceptance of these articles of compromise, shall be allowed the canal company, to complete the graduation of the four miles and one-tenth of rail road before described; but the president and directors of the canal company, shall urge the contractors who may undertake the same, to proceed with diligence, and to complete the graduation in the shortest time practicable, consistently with the health of the country.

In case of any possible difference of opinion, or disagreement between the two companies, in relation to the construction of these articles of compromise, such difference, or disagreement, shall be settled in the mode provided by the act aforesaid, for the settlement of the construction thereof, by the same parties.

This report of the president and directors was, after debate, referred to a committee, consisting of Richard S. Coxe, John Mason, Archibald Lee, Thomson F. Mason and Henry Huntt; and the general meeting was adjourned to the 9th instant.

Yesterday, accordingly, the general meeting re-assembled. Mr. Coxe, under the instructions of the committee, reported against concurrence in the proposed arrangement, at the same time expressing his dissent from the conclusions of the committee.

A debate of considerable length ensued; after which, the question being finally taken on agreeing to the arrangement proposed by the president and directors it was decided in the *affirmative.* The aggregate vote being, in favor of the compromise, 6,904; against it, 1,300.

A compromise is therefore at last effected of this long-standing controversy, the Baltimore company having (as will be seen by the proceedings in a subsequent column) given full authority to the president and directors of the company to ratify what they have already in fact agreed to.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 13—VOL. VIII. BALTIMORE, MAY 25, 1833. [VOL. XLIV. WHOLE No. 1,131.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The present number contains twenty-four pages—eight being added, the more conveniently to get-in the report of the minority of the committee on manufactures.

We forgot to mention that the title page and index for the last volume was sent out with the REGISTER of the 11th inst. and that the large supplement for that volume has been generally forwarded to those who have ordered it, and will soon be sent to all such. About 200 copies yet remain for the order of subscribers, or general sale.

☞If any small matters of business have been neglected this week—correspondents are respectfully informed that they will be attended to early in the next.

☞The foreign articles and news inserted are interesting.

THE PRESIDENT'S VISIT. Some who ought to know, have thrown it out that president Jackson will be too much indisposed to proceed on his eastern tour, as was intended—others, however, say, that he will start next week. The "New York Courier" gives it to be understood that the president will more probably retire to Tennessee, and prepare for resigning his office; but the "National Intelligencer" thinks that such a retirement "is about the last thing in gen. Jackson's mind"—adding, it is "more likely that he is looking forward to a re-election for a third time." The latest accounts say that the president will start on his journey about the first of next month.

The present, it seems probable, will be a great season for travel, unless we shall be revisited by the cholera, or some other alarming disease. The secretary of the navy is now on a tour, and the "Pennsylvanian" informs us that Mr. Secretary McLane and Mr. Secretary Cass will accompany the president, being joined at New York by the vice president; and that Mr. Secretary Woodbury having returned, he, with Mr. Duane, to be appointed secretary of the treasury, (in place of Mr. McL. who is to be transferred to the department of state), will remain at the seat of government, and have charge of the public affairs; for it is stated that the postmaster-general will make a tour through the west. It is added, that Mr. Clay will pay a visit to the eastern states, and reported that Mr. Webster will make a journey through the western.* Mr. Randolph is about to make another voyage to England—but, this time, at his own cost! Many other journies are assigned to other distinguished individuals, with what truth we know not; but it seems certain that we are to have a "travelling cabinet."

TIME AND SPACE. A project is started, and, we hope, will be consummated, of making a rail road from *Philadelphia* to *Baltimore*, by the way of *Oxford* and *Port Deposit*. The distance will only be one hundred and eighteen miles—the transportation of commodities exceedingly large, and the time of travel, for passengers and the mail, not more than *seven hours*, at the rate of going now established on the New Castle and Frenchtown rail road—without any transhipment of goods, or transfer of baggage—unless desired on the way. Such a road would make a vast change in the existing condition of things—and especially in the winter season; when passengers and the mails have to be dragged through the mud—hub-deep, in many places.

A large part of this contemplated road is really completed—45½ miles at the Philadelphia extremity; and the stock has been subscribed for a rail road from Baltimore to Port Deposit. The middle section, then, of between 30 and 40 miles, only, remains undetermined.

When this road shall be made, and that from Baltimore to Washington is completed, as it pretty soon will be—Philadelphia will be *nine hours distant* from the capital of the United States!

* Mr. Webster, with his lady and daughters, arrived at Albany on Monday last.



We see, also, that a project is going on to make a *continuous* rail road from Philadelphia to the west shore of the Hudson, opposite New York, via Trenton, New Brunswick, Rahway, Elizabeth Town, and Newark. We much desire that this may soon be accomplished—and it appears that it will be. The stock must be among the most profitable in the United States. It is stated that 600 persons, *even now*, daily pass between New York and Newark, over the toll-bridges, besides those carried in steamboats, and the transport of merchandise is equal to 82,445 tons a year! The stock of the turnpike road between these places is 800 dollars for 200 paid—that of the bridges, 150 for 100 paid. It seems that the unwise MONOPOLY, which was thought to have been granted to the Camden and Amboy rail road company, by the legislature of New Jersey, will not hold—for the new company has purchased an *old* turnpike road, and cannot be prevented from laying rails on the sides of it! This is pleasant. We would encourage *home competition;* aye, and might be reconciled even to *"free trade" with foreigners:* but not so far as to admit English tapes and bobbins, while England forbids payment for them in bread and meat!

With these roads made (and they *must* be made), New York will be *fifteen hours distant* from Washington.

The prophecy of *Oliver Evans* (made in the presence of the editor of the REGISTER, and in the house of his father), many years ago—is near its fulfilment. Oliver Evans said, that the "child was then born who would travel from Philadelphia to Boston in one day." Oliver allowed, then, 80 or 90 years—but it will be done in half the time. Already the journey between New York and Boston is being made in 17 hours 41 minutes, and the time on the rail road to be made between Philadelphia and New York (less than six hours), will perfect the prophecy—however it seemed to partake of *insanity* when first proclaimed.

BALTIMORE AND OHIO RAIL ROAD. Since the compromise with the Chesapeake and Ohio canal company, the prospects concerning this road are much brightened—and by the time when it shall reach Harper's Ferry, the Winchester rail road will be ready to join it—thus opening the rich valley of Virginia to the commerce of Baltimore, and placing the land-holders, as it were, close to a sea-port. Winchester will be only from nine to twelve *hours* distant from Baltimore; and less, when steam power is used—as it will be. The value of the lands in the valley will be increased by millions. Even its fine and fat cattle, instead of being wasted, or exhausted, by driving, will be carried to market on the rail road.

The Frederick Examiner states that a machine has been erected at the rail road depot in that city, which supersedes the necessity of unlading wagons. On Thursday, of last week, by its aid, the *body and contents* of a wagon, weighing, in all, about 5,600 lbs. were lifted from the running gear, and placed upon a rail road car, and sent to Baltimore.

SOUTH CAROLINA RAIL ROAD. We have pleasing accounts of the progress and prospects of this interesting improvement—and entertain no doubt that it will, when completed, "nullify" many *Jeremiads* in that state; and, perchance, teach some the importance of looking at home, and of relying on themselves, for prosperity. During the last month, $3,617 03 were received for the transportation of passengers and goods. It will soon reach the fertile upper country, and then will work—miracles, in public opinion, and teach men to put *their own* shoulders to the wheel. This is all that is wanting, even in "distressed" South Carolina. We should never have heard of the "oppressions of the tariff" had the *people* been willing to work—and to expend upon their *lands* the profits of their crops.

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Sixty-two miles of this road (to Branchville) were opened for public travelling on the 17th Nov. 1832, in less than two years from the commencement of the work, and on the 7th February last the road was opened to Midway, 72 miles. The entire line of the road seems to be only 136 miles, on which all the excavations, embankments, ditches, bridges, &c. have been made; and the whole distance (to Hamburg) will soon be opened for public use. The stock will be a very profitable one. It is expected to yield not less than 12 per cent.

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"The groans of the south." The St. Augustine Herald informs us that one planter in Florida made, with 15 hands, last season, 50 hogsheads of sugar, 7,000 gallons syrup and molasses, and 2,000 bushels of corn—realizing more than $600 to the hand in one year.

☞Let us see—here we have 50,000 lbs. of sugar, on which the present duty is 2½ cents, and 7,000 gallons of molasses at 5 cents—and the amount of *protection* on both is 1,600 dollars. And, as only 15 hands were employed, the "bounty" on each person, being made up of a "tax" on consumers, for the benefit of the only real "monopolists" in the United States—(if any there are), because of soil and climate, is 106 dollars and 67 cents per head—a sum considerably more than equal to the *whole average wages* paid to free agricultural laborers in the north—out of which they clothe themselves, paying all that "grievous tax" which is laid on imported commodities! And it must be observed, that these 15 persons, on the sugar estate, also raised 2,000 bushels of corn, or 133⅓ bushels for each—being three or four times the amount of their own consumption. This is more than equal to the cost of the food which is furnished by the farmers to those employed by them in the north.

We *may* see what will be the effect on the sugar cultivation when the "bounty" or "tax" shall be reduced to 20 *per cent. ad valorem;* or, on the quantities just given, about 350 dollars, instead of 1,600 dollars! Will that enable our sugar planters to withstand the competition of free labor in the East Indies, or of slave labor in Brazil, Cuba, and other places? Can they make sugar cheaper than the Jamaica planters? These last are protected by a duty of 2 cents and 4 mills per lb. less than is payable on East India sugar, though equally produced in a British possession!* And yet we know that the British West Indies, apart from all considerations of the slave question, have long been rapidly descending to poverty. The average product is, perhaps, less than two per cent. on capital vested in land and slaves. Is there no instruction in these facts?

Again—there are about 2,000,000 slaves in the United States. If we average them at 200 dollars a head, their aggregate value is 400 millions. The demand for slaves, for the cultivation of sugar in Louisiana and Florida, has a most important effect on the price of slaves, and may be estimated at 25 per cent. or 100 millions of dollars; and, *certainly*, that amount of PROPERTY would be lost to the holders of slaves, if the persons now employed in the cultivation of sugar were transferred to the cultivation of cotton. We are speaking of mere matters of dollars and cents—after the manner of the "chivalric and generous south." Of the *moral* effect to result from rendering it less profitable to *breed slaves*, we have nothing to say—at the present time; nor shall we calculate the consequences.

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More "groans of the south!" The Richmond Whig gives the proceeds of an entire crop of tobacco, just sold at the Shockoe warehouse, the average of which was $12 16 per hundred pounds.

*The British duties on sugar are as follows:

| | | | |
|---|---|---|---|
| Foreign, brown | £3 3 0 | cwt. or | 15.12 cents per lb. |
| —— white or clayed | 4 6 8 | " | 20.8 do. |
| British East Indies | 1 17 0 | " | 8 cents, nearly. |
| ——West Indies | 1 7 0 | " | 5.6 " " |

The heavy duty laid upon British West India sugar is for *revenue*—but the *extra* 2.4 cents, assessed on British *East India* sugar, and the *extra ten cents per lb.* on foreign sugar, *are for the protection of the West India cultivators*. The *last*, we think, would be better protected by a duty of 7*s*. than of 27*s*. per cwt. because of the increased consumption which so reduced a duty would cause; and a considerable part of the reduced duty would go into the price received by the planters, foreign sugars being still excluded.

Glass factories in New York. The following has been transmitted to us as a complete list of the window glass factories in New York:

At Verona and Vernon, Oneida county—Ontario and Geneva, Ontario county—Woodstock, Ulster county—Hamilton, Albany county—Sand-Lake, Rensselaer county—Redford, ——, county—and Clyde, Wayne county. Total, nine.

At the Clyde factory there is annually consumed—40 tons pot ashes, 125 tons of sand, 40 tons house-ashes, 200 barrels of salt, and 2,500 cords of wood, &c. The capital is 25,000 dollars—30 men are employed, and 150 persons subsisted at these works; and the product is about 8,000 boxes of 7 by 9, annually, at $3 per box—or 24,000 dollars.

We have no particular information of the business and extent of the other establishments—but taking this as an average, the nine will produce the following results:

*Annual consumption.*

360 tons pot ashes
360 tons house ashes
1,125 tons of sand
1,800 barrels of salt
22,500 cords of wood.

*Employed and subsisted.*

270 workmen, and 1,350 persons subsisted.

*Capital, &c.*

Capital 225,000 dollars—annual product 216,000 dollars.

☞Fully two-thirds of the value annually created, passes *directly* to land-holders and agriculturists, for fuel and transportation, &c. and the subsistence of the workmen and their families; and these nine glass factories are more beneficial to the land-holders and farmers of New York, than is the whole trade with *Russia, Prussia,* and *Denmark* to the land-holders and farmers of the U. States; so far as the trade with these countries depends on their consumption of American products, according to the treasury tables of 1830—the latest that we happen to have before us.

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The coal trade. At the beginning of the last week, 1,004 boats, laden with 41,701 tons of coal, had descended the Schuylkill, in the present season. Between 7,000 and 8,000 tons a week are now shipped. The price at Pottsville is $2@2 50—freights 1 25.

And up to the 1st of May, there had arrived at Honesdale, from Carbondale, 1,625 rail road wagons, with 40,621½ tons of coal—besides vast quantities of lumber. The Delaware and Hudson canal is doing a great business.

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"A factory girl." A letter from Newport, R. I. speaking of the calm and unruffled deportment of *Avery*, on his trial for the murder of a young woman, whom he is charged with having previously seduced—says:

"The same feeling which the deportment of the prisoner is calculated to produce, was evinced in the crowded audience yesterday, in the examination of a young lady, without its being repressed by any doubt as to its being fully deserved. I do not allude to it, as at all connected with the case, in point of testimony, but simply as one little green spot in that boasted profession, the law, which, after all, however noble it may be as a science, is, in the practice of the day, a mere art of preventing witnesses from telling the truth, and an exercise of the most ingenious deception upon the minds of plain, honest men, who are so unfortunate as to be caught upon a jury. Whoever most excels in these qualifications, is the best *mere* lawyer. In the case alluded to, however, there was an exactly opposite result. A young female (she would deserve any where the appellation of lady, both in appearance and deportment), was called upon, unavoidably, to testify to circumstances extremely unpleasant to a delicate female to detail in a public assembly. They had no relation to herself or to the prisoner.* The unaffected and lady-like manner in which this young female acquitted herself under circumstances so peculiarly trying as a public examination of this description, was exceedingly interesting. Polished society might find it not a little

*They related to the *delicate* situation of the murdered female.

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difficult to furnish a representative to discharge so painful a duty, with as much of the true dignity of modesty as was here evinced by a 'factory girl.' It was an honor to that valuable portion of our population thus to be represented, and would of itself repel the slander that there is necessarily in their employment any tendencies to blunt the sensibilities of females, or prevent a full cultivation of lady-like and delicate refinement. Even the overbearing sternness of the examining counsellors at the bar was laid aside from respect to female delicacy; and the rare phenomenon in legal practice was exhibited, of the mere *lawyer* (whose greatest merit is supposed to consist in browbeating and confusing witnesses, to prevent their telling the truth) being laid aside for the true courtesy of the gentleman—the politeness of the heart."

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☞The people of the south, in general, have about as correct ideas of the general character and condition of the young women employed in the well-regulated factories of the north, as of the inhabitants of capt. Symmes' *inner world*. This is not much to be wondered at, in those who would be "shocked to death" with the mere apprehension of being called upon to labor—to receive money, in wages, for *work* performed! But a better and more correct class of persons are no where to be found. They are much superior, and in almost every respect, to the classes of society from whence they are drawn, and better educated; and their lives are as blameless—indeed, less liable to injurious suspicions, for very few *accidents* happen among them. And there is a good reason for this—each is made a guardian, as it were, of the honor of the establishment in which she labors—and a good reputation is every thing to these poor girls. There are villages at which several hundred young women have been employed, for years, with hardly a single impeachment of their chastity. *They are respectable and respected*—their dresses are not so costly as those of their sisters who are independent of manual labor for support—but not less neat, and tidy, and comfortable. And we have seen many of them that would have excited as much attention in the drawing room at the president's house, because of their beauty—as any who have appeared there; aye, and, we think, would have conducted themselves quite as well. But what a horrible thing would it be to introduce an honest and well-educated and lovely "factory girl," where "patches, paint and candle light" are so important, and "small talk" is only used, because the only sort-of-talk that is understood!

There is a wicked and foul disposition to debase the character of such young women, and simply because they make an honest living for themselves! But many a man has found to his sorrow, that a dashing belle *may* be a wife only fitted "to suckle fools," and unable even to "chronicle small beer," being no more than a *female animal*, with a range of intellect bounded by the fashion of a frock or a petticoat, and as if without a soul; a mere play-thing in prosperity, or a dead-weight in adversity; oftentimes regarded with indifference in the one case, and always despised in the other; in neither a *companion* for an intelligent and inquiring man.

We speak of the "factory girls" as we have seen them, and are entirely assured that they are. What they may be, under REDUCED WAGES and more *severe labor* than is now required of them, we shall be better able to say after 1842—if so long we live. Thousands on thousands of such are now among the most valued wives and best mothers in the land, offering their "jewels" to defend their country in the peril of war, or extend its prosperity in the works of peace;—to tread the mountain's top, dive into the bowels of the earth, or march upon the ocean—every where holding up the "starry flag" of the republic, and proclaiming liberty and independence. Cases of individual hardship have happened, and we would rather that female labor should find employment home, or in less dense masses than are oftentimes met with—but such females are not yet slaves; and those that are prudent and thrifty do not generally remain many years in the factories. Some accumulate little fortunes for themselves—a few hundred dollars to "begin the world with"—and the fact that they are honest and industrious, and careful, has no effect, in the north, to exclude them from society, or degrade them in the public estimation!

"MIGHTY FLOODS." Very little rain fell during the month which ended two or three weeks ago—but since then there has been a general rain, and a vast quantity of water has fallen, as the following brief notices will shew.

The *Connecticut* river had risen near twenty feet—and caused much damage; but we have not many particulars.

The *Hudson* and its chief tributary, the *Mohawk*, rose to an extraordinary height, doing great injury at Troy, Albany, and many other places, and several lives were lost by the breaking up of rafts, &c. and of persons engaged in attempts to preserve property. The rise of water is called "unparalleled." The lower part of Albany was completely inundated—the streets were impassable, except in boats or carriages, for some distance above the Eagle Hotel. One of the bridges across the Mohawk was carried away. The beautiful gardens on the islands in the Hudson, below Albany, were destroyed, and many fields on the main land overflowed. The loss of property was exceedingly heavy, on the 14th, 15th and 16th inst. It was apprehended that the canals had been seriously injured. We cannot give particulars. Such a flood, was not *expected* at this season of the year, and hence the injury was increased.

The waters of the *Delaware* reached an uncommon height on the 16th and 17th instant, and much damage was sustained.

The *Susquehannah* was 16 feet above low water mark at Harrisburg, on the 16th, and still rising. It was the greatest flood remembered by the oldest inhabitants—much higher than the extraordinary one that happened 16 years ago. The river was exceedingly violent and "wicked," as we have heard a person call it, and the rush of waters, at certain points, awful. We have not seen any statement of the damages sustained, but they have been large. It is expected that several of the canals have been injured. Some persons were drowned, in attempting to save lumber and other property.

The *Potomac* has been very full, and wafted a great quantity of produce, lumber, coal, &c. towards the market on the sea board; but we have not heard of much injury being done on the shores of this river.

The *Ohio* was 23 feet above low water at Wheeling, on the 18th inst. The flood in this river does not appear to have been of an *extraordinary* height, and no particular damage is stated.

What a vast amount of water must have descended in four or five days, which, after saturating the parched earth, hurled such torrents towards the sea! The mind can hardly grasp an idea of the quantity, though the fact is presented, that rivers, from a half a mile to a mile, or more, wide, had a volume twenty feet deeper than usual, hurried forward at the rate of ten, or more, miles an hour, at particular places.

The loss of life has been considerable. Many bridges, dams, mills and other buildings have been swept away, and immense quantities of lumber and saw-logs, &c. are lost. In a good many instances, stone buildings have been cleared to their foundations. The rivers and streams of Vermont have been as violent as others. The general amount of damages sustained is exceedingly large—and the range of the rain-flood unprecedented.

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THE CHOLERA. The total number of deaths by this disease in Havanna and its suburbs, from the 1st of March to the 13th April inclusive, is now given at only 6,831. On the 1st March 35; on the 13th April 22. Greatest number of deaths on the 22d March—78 white, 255 colored—333. This was not only the highest aggregate, but also the highest number of either class of persons.

A letter from Matanzas, dated April 24 says, that the cholera had nearly ceased at that place—but was ravaging the estates, some losing 40 or more slaves in 3 days. On others it is said that *all* had died.

The Paris papers have official returns of the mortality caused by the Asiatic cholera in France. From its commencement until the first of January, 1833, the whole number of patients was 229,534—of those who perished 94,666. It appeared in fifty of the departments; those of the south suffered much less than the northern; the western less than the eastern. The government expended nearly thirteen hundred thousand francs in providing food, medical aid and other necessaries, for the relief of the poor.

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A good many cases of cholera have lately happened at Vicksburg, Miss. and some at Nashville.

NATCHEZ. There has been a great excitement, and the largest meeting of the people ever had in this city, because of the finding of the bodies of several negroes, thrown into some of the gullies and slightly covered with earth; and the consequent spread of a report through the country that the *cholera* was killing the people so fast that the survivors had not time to bury them, &c. It appears that the bodies found were those of slaves, that had belonged to certain "negro traders"—who, to avoid the expense of interment, had thus disposed of their remains—at which the people were properly indignant, &c.

The "Natchez Courier" of the 25th April says—It is a known and indisputable fact, that the cholera has re-appeared in New Orleans, to what extent, having nothing before us from the authorities of that city, we are unable to determine; but we do know, that scarcely a boat arrives from that port, without more or less sick on board, with that disease. Among other passengers there had been, during the previous week, many negroes, some of whom have died of the cholera, perhaps eight or ten—but not a single case has originated here, nor has any one of our citizens been attacked, that we have been enabled to learn.

THE NEW TARIFF LAW. The following are the *modest* opinions of the Leeds [England] Mercury, concerning the new tariff law of the United States. Whenever the proceeding of a foreign government interferes with the interests of Englishmen, every genuine *John Bull* "opens only one eye," as our Indians say, to see the merits of the matter. The passage of this bill is called "a most arbitrary proceeding, *and, indeed, a gross breach of faith*"—because that the products of the woollen manufacturers of Leeds and Huddersfield may not be sent to the United States, at a duty of five per cent. Modest and liberal John Bull! "A breach of faith!" Between whom? Was Mr. Bull a *party* to the tariff act of 1832? Has he not, an hundred times, regulated his own tariff by simple orders in council, *concocted in secret, and put into operation at the chief ports, without a moment's warning to the parties interested?* Does not John assess an average duty of more than 100 per cent. on all the chief productions of the land and labor of the United States, cotton only excepted! But John grumbles because the duty on coarse woollens, reduced, by ourselves, in a spirit of compromise—have, in the same spirit, and to please ourselves, been temporarily raised to the duty which is payable on other woollen cloths! and notwithstanding a greater advantage has been given him in stuff goods, linens and silks! "A BREACH OF FAITH," John?—a breach of faith between the United States of America, and the log-wood dyers of cloth, made out of old clothes, at Leeds, which, like Peter Pindar's razors, are sent out "*to sell*," in America. O rare and modest, John Bull. We pray thee—open *both* eyes, John. Look at home, John. Reform thyself. *Do* "free trade," and then we'll *talk* with thee about it, Father John!

*From the Leeds Mercury.*

Mr. Clay's tariff bill has been smuggled through the American house of representatives, by one of those original and startling manœuvres which distinguish that republican legislature. The house had been all the session discussing the tariff bill introduced by Mr. Verplanck, which went to make great reductions on imported goods; the manufacturing party struggled hard against it, and the southerns as hard in its favor: the bill had reached its third reading, when—lo! some member moved, "as an amendment," to leave out all the words after "that," and substitute for them the tariff bill which Mr. Clay had carried in the senate! The motion was carried by a vote of 120 to 85; and by this most extraordinary piece of jockeyship, Mr. Clay's bill passed in one day.

We regret to say, that this bill is not only much worse than that of Mr. Verplanck, but is decidedly less liberal than that of last July. The tariff of July, 1832, was to have come into operation on the 3d of March, but if Mr. Clay's bill should finally pass the senate, to which house it has been returned, that tariff will never take effect at all, except as modified by the new bill.

By the tariff of last year the lowest qualities of woollen goods were allowed to be introduced at a duty of *five* per cent. *ad valorem*, and great quantities of goods have gone out from the neighborhood of Leeds and Huddersfield on the faith of that arrangement; but Mr. Clay's bill raises the duty on these goods to *fifty* per cent. and every yard of the low woollens sent from England must either pay that duty or be sent back to this country! This is a most arbitrary proceeding, and is indeed a gross breach of faith.

The other arrangements of Mr. Clay's bill are to let the duties fixed by the tariff of last July remain in operation till the 31st of December next, after which they are to be reduced by driblets—one tenth of the excess of those duties over 20 per cent. *ad valorem* to be taken off at the end of the year 1833, another tenth, at the end of 1835, another tenth in 1837, another tenth in 1839, in 1481 one half of the remainder, and at the end of 1842 the duties are to be reduced to 20 per cent. at which they are to continue.

Our Bradford and Keighley friends are almost the only persons in England whom this tariff will benefit, as worsted stuff goods, which have hitherto paid 25 per cent. duty, are to be admitted duty free. Linens and silks are also to be admitted duty free, which will be an advantage to Barnsley and Manchester.

BRITISH "FREE TRADE." The Newcastle (Eng.) Chronicle, speaking of the timber trade, says—Within the last few days, several vessels have been taken up here to go to Memel to take in a cargo of timber, from thence proceed to Canada, where the cargo will be delivered, and immediately reshipped and brought to this port as American [Canadian] timber! What an absurd state of law it must be that can render such a system profitable, and yet what an outcry was raised against the ministers when they attempted to alter it!

TEAS. It would appear (says the Boston Centinel) that, in the article of teas, as in some other articles, we were in danger of losing the benefit of our own reduction or abolition of duties, by the incidental increase of price by the producers. The Hong merchants of Canton, hearing of our new tariff, naturally calculated on an increased consumption and demand for the principal ingredient of our afternoon beverage, and are said to have endeavored to get more profit themselves, by our expected augmented indulgence in the herbs of the east.

THE MARKETS. On Wednesday last, green peas were selling in the New York market at 50 cents per peck, and strawberries at 150 cents per quart. On the same day, green peas, at Baltimore 18¾@25 cents per peck, and strawberries 6¼@12½ cents per quart. It is probable that peas will be sold at 25 cents the bushel, this day, in Baltimore—May 26—and a plenty of fine strawberries at 6¼ cents per quart.

THE PROTESTED DRAFT. The Pennsylvanian says—that the United States bank has presented the protested draft, amounting to nearly a million of dollars, to the United States government, with a claim for damages at the rate of fifteen per cent. By the late arrivals at New York, the original draft and protest have been returned to the bank, and the directory of that institution has sent in its bill of damages to the treasury department.

[We have heard that the bank proposed to *collect* the draft—but that the government would *sell* it, and the bank became the purchaser. In this case, the affair is a mere business transaction, and the bank ought to claim of the United States what would be claimed of an individual, in a similar matter: and yet *mirabile dictu!*—half a thousand columns of "indignation" are *being manufactured* on this account, for the "by authority" presses. The *making* of such a draft, we rather apprehend, has few precedents, if any—and, surely, the *sale* of it was not called for, unless because of some imperious demands on the treasury, with which we are unacquainted. But if the government *trades* in drafts, the *lex mercatoria* is just as applicable as it would be to a private individual—and the fuss made about it is childish, or—base.

MR. RANDOLPH AND THE BANK OF THE UNITED STATES. *From the Richmond Whig.*—John Randolph, of Roanoke, for some days, (and we believe still), in this city, is understood to have declared himself distinctly and decidedly in favor of renewing the charter of the present bank of the United States. We learn that his course of argument is somewhat this: that his opinion of its unconstitutionality has not changed, but that he views that question as withdrawn, and the country brought to the alternatives of choosing between the present institution and one of more extensive powers and capital, to be established for the *special benefit of Mr. Van Buren.* Mr. Randolph

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believes that the southern people only are influenced by constitutional scruples in their opposition to the new charter; that if the present institution is overthrown, another of more doubtful utility, and of enlarged capacities, will be immediately erected in its stead, and brought under the control of the executive for electioneering purposes; and he prefers an institution which he knows, and which has proved useful and independent, to another untried, and which may fall under government influence, and enlarge the already dangerous extent of executive power.*

☞Mr. Randolph arrived in Baltimore on Sunday last, and on the next day proceeded to Philadelphia.

The "American," noticing the arrival of Mr. Randolph in this city, gave the following account of it. Mr. R. is said to have been "much offended," because of the crowd—but the singularity of his equipage and proceedings, were legitimate causes for that curiosity which his presence excited. Many wished to see what sort of an animal it was within the vehicle—which, as one who saw it said, looked as though it might have been digged out of the ruins of an old coach house which had "flourished before the revolution." If "Roanoke" will not do things like other people, he cannot expect that the people will treat him as they would another man. And after all, Mr. R. would, perhaps, have been sorely mortified if his arrival had not created any sensation, though only of the "groundlings," let loose on a Sunday evening. Erostratus burnt the temple of Ephesus, for fame—others seek and obtain it by other means.

*From the American.* The hon. John Randolph reached this city on Sunday afternoon from Washington, and proceeded to Philadelphia yesterday morning. He travelled in his old fashioned English coach and four; with a postillion on one of the leading horses, and Juba on the box. We learn that his passage through Pratt street to the city hotel was the occasion of some little inconvenience and irritation to him. His remarkable equipage came leisurely along that street just about the time of the arrival of the steamboat Kentucky, and thus attracted the attention of the crowd of persons who were in waiting to witness her arrival, as well as the hundreds who had just landed from her, at the intersection of Light and Pratt streets. It was soon generally understood that Mr. R. was in the coach, and curiosity, on the part of some, and the force of the example on others, immediately induced numbers of the spectators to follow him. By the time he reached the hotel, we learn that the crowd was so dense in front of it that his entrance at the principal door was impossible; at length the equipage proceeded to the private door on Fayette street, and he was conveyed from the coach into the hotel in the arms of Juba. Mr. R's appearance is said to indicate an extremely delicate state of health.

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* The "Richmond Enquirer" thus notices the preceding—

"A report has been sedulously got up for some weeks, that the bank of the United States would be certainly rechartered—perhaps with some modifications. An attempt has been made to reconcile to the public this arrangement, by this sort of argument—that we are to choose between a treasury bank and the present bank of the United States! Indeed, this idea has been carried so far, that a member elect to the next congress, who was supposed to be as violent an opponent of the bank of the United States as any man breathing, has lately declared in this city, that he would probably go for *the* bank, not *a* bank—for the present institution with some modifications, rather than take, what he is pleased to term, *a New York Van Buren bank!* The design of the bank friends seems to be, to drive us into one net by the panic fear of getting into another."

And adds—"The voice of Virginia is against this institution—loud, distinct, unchangeable. It is against the New York scheme, if any such should be entertained—and we are much mistaken, if it be not also against the treasury substitute, if any such should be brought forward. True—Mr. Calhoun and a few of his friends in congress, may be in favor of the bank—but *he* has always been its friend. He was one of its fathers—and notwithstanding his present new-fangled doctrines of state-rights, he will be found its advocate at the next congress! But the mass of the south will be strongly opposed to it—let the bank of the United States be assured of it. For our own parts, we would rather see the government sustain a grievous inconvenience, from the want of such an institution; we would rather see it pay 10, 15, 20 per cent. more for transmitting its funds from place to place, than violate by such an institution, the federal constitution." [*O dear*—Obsta Principiis!]

United States bank stock. We have the pleasure to say that the *honest* gentlemen-brokers of New York, are still *being* punished. In spite of all sorts of *fabrications*, the stock rises; and on the 22d was at 114½—and fearfully expected to go still higher.

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Massachusetts. *The ladies' fair*, at Boston, for the benefit of the blind, produced near twelve thousand dollars; and a similar fair, for the same kind purpose (previously held), yielded the large sum of three thousand dollars, in the comparatively small town of Salem, which had already contributed six hundred dollars.

The Boston Transcript says—We are pleased to learn that something is at last to be done, and with energy, to ensure the immediate completion of the Bunker Hill monument. A gentleman of this city has addressed a letter to the government of the Massachusetts mechanic association, offering a donation of $5,000, on condition that $50,000 shall be raised by subscription within three months, for the purpose above specified. A meeting of the association was held last evening, and from the spirit manifested by the members, there is not, we are informed, the slightest doubt that the work will go on and be finished forthwith.

The estate, corner of Tremont and Beacon streets, well known as the Eliot estate, measuring 184 feet 8 inches on Beacon and 65 on Tremont street, backing on Philips' place, containing 10,954 feet, was lately sold at $9 40 per foot. The right to one-seventh part of Philips' place, so called, being all the interest and estate of the heirs of the late Wm. H. Eliot therein, subject to the rights of light, air and drainage belonging, to the mansion house estate above described, at $450.

We understand that a company of gentlemen have purchased the White estate, so called in Roxbury, for $26,000, for the purpose of erecting thereon a number of elegant cottages. This estate has long been known as one of the most beautiful garden spots in this vicinity. [*Advocate.*

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Professional men. According to Williams' Annual Register, for 1833, just published, the number of members of the professions of divinity, law, and physic, in the state of New York, is as follows:

| | |
|---|---|
| Attorneys and counsellors at law, | 1,956 |
| Physicians and surgeons, | 2,580 |
| *Clergy, viz:* | |
| Presbyterians and Congregationalists, | 502 |
| Baptists, | 448 |
| Methodists, | 401 |
| Episcopalians, | 163 |
| Reformed Dutch, | 106 |
| Associate Reformed, | 29 |
| Lutherans, | 14 |
| Other denominations, | 78 |
| Total, | 1,741 |

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Pennsylvania. It is estimated that, since the opening of canal navigation this spring, Easton has sent to market about 100,000 barrels of flour, 70,000 bushels of corn, 8,000 barrels of whiskey, and 5,000 barrels of linseed oil, besides large quantities of other productions, among which was a considerable quantity of roofing slate, a large quarry of that article having been worked for some time in that neighborhood.

It is also said of this flourishing town, that upwards of fifty buildings, chiefly brick, will be erected there this season, and a large edifice, for the Lafayette college, 112 feet front, will be commenced. In addition to the merchandise and produce of the neighborhood, which we have noticed above as coming from Easton, we may add that, in the last week, 64 Mauch Chunk boats, loaded with 3,147 tons of Lehigh coal, entered the canal, and contributed towards the $1,648 received during the week.

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Maryland. James H. Alexander, esq. civil engineer, and professor Ducatel, of the university of Maryland, have been appointed by the governor and council, to collect and prepare the materials for a geographical and topographical chart of the state, and a geological survey thereof. Philip P. Tyson, esq. will assist in the latter. These interesting matters are committed to gentlemen

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happily fitted to execute them in the most satisfactory manner.

BALTIMORE. We have more than once mentioned, an addition to this city which is now being made, by the improvement of a property called "Canton," which lies on our river, south of Fell's Point, and has a fine depth of water along its front. The company having expended a large sum of money in levelling, filling up, and opening the property, and built a long line of wharves, &c. &c. on Saturday last offered 200 of their lots for sale, all which were disposed of. These lots are generally 20 by 60 feet, and varied from one hundred to five hundred dollars, according to location. The whole product of the sale exceeded 30,000 dollars.

Buildings will be immediately commenced on many of these lots, and we may soon expect to see a new town rising up. It is intended that the rail roads shall be extended to Canton, and the time is not distant, we think, when a lively and large business will be carried on there. The whole tract is said to abound with good water.

CUMBERLAND SUFFERERS. The following is a return of the monies collected in the several wards of the city of Baltimore, for the relief of the sufferers by the late fire at Cumberland:

| | |
|---|---|
| 1st ward | $151 62 |
| 2d do | 129 25 |
| 3d do | 138 93 |
| 4th do | 171 16 |
| 5th do | 216 75 |
| 6th do | 1,014 27 |
| 7th do | 1,714 12 |
| 8th do | 150 37 |
| 9th do | 986 50 |
| 10th do | 360 88 |
| 11th do | 683 48 |
| 12th do | 143 95 |
| Total | $5856 28 |

In addition, one gentleman of the 6th and another of the 7th wards had, individually, forwarded 150 dollars each: making the whole sum $6,156 28.

The 7th, 6th and 9th wards are always the heaviest contributors on occasions of this sort. They are compact, and the chief seats of business; and many, resident in other wards, have their places of business in these, and so swell the amounts obtained in them.

VIRGINIA. The Winchester Republican says—We have received a printed catalogue of the officers and students of the university, for the present session. It gives us great pleasure to see that the number of students who have matriculated during the term exceeds that of any other session, except the second: In 1825, the whole amount of matriculates was 123; 1826, 177; 1827, 128; 1827-'28, 131; 1828-'29, 130; 1829-'30, 133; 1830-'31, 133; 1831-'32, 140; 1832-'33, 157.

The total estimate of expenses for the session of ten months, exclusive of books and stationary, clothing and pocket money, is $23.

We understand that a fine spirit of order and industry now pervades the institution—and that the students are actively engaged in preparing for the examination in July.

We learn with regret that the university of Virginia is about to lose the services of Dr. *Robley Dunglison*, he having accepted the chair of materia medica, therapeutics, hygiene, and medical jurisprudence, in the university of Maryland.

MISSISSIPPI. A new and flourishing town of fifty houses, called Amsterdam, has jumped up on the Big Black river, about 100 miles above its junction with the Mississippi, in the last 12 months. It is in the heart of a rich cotton-growing country, and steamboats easily ascend to it.

FLORIDA. The return of votes, though not official, shew that col. *White* has been re-elected the delegate from this territory to the congress of the United States, over gen. *Call*, after a most arduous and very violent campaign.

EMIGRATION TO MICHIGAN. The Detroit Courier mentions the arrival at that place, of seven steamboats, from Buffalo, from the 1st to the 7th inst. with 2,610 passengers.

We are told that the steamboats at Buffalo oftentimes depart previous to the time appointed, to avoid the pressure of persons wishing to take passage in them.

TEXAS. By the brig Fredericksburg, arrived at New York from Matamoras, we learn, (says the Courier), that a vessel of war from Vera Cruz, arrived at that place a few days previous to her sailing, with troops, who, with others assembled at that place, amounting altogether to about 350 men, were to march in a short time to Texas for the purpose of driving the American emigrants from that place.

[Texas has been considered as a sort of neutral, or middle ground, for the congregation of all sorts of adventurers, making laws for themselves, in fact, though pretending to respect those of Mexico. The 350 troops above mentioned were to be joined by 1,200 others, and eight pieces of artillery; and the prevailing anarchy will probably be put down, very promptly.]

LATE TREATY WITH DENMARK. The Washington Globe contains a list shewing the result of every claim presented to the board of commissioners under the late treaty with Denmark. The full amount awarded in all the cases is $2,154,425. The sum actually payable is $670,564 78.

IMPUDENT VILLAINS. The progress of crime in the United States is appalling. The *exports* from Europe of murderers, robbers, gamblers, thieves and pick-pockets, &c. with thousands of paupers, are "free" enough, indeed!' Strong measures must be adopted to prevent their various depredations and impositions on society. The punishment of those convicted should be sure, and the full penalty of the law certain, without the hope of executive pardons. Let the penitentiaries be enlarged, if necessary—and *second* offences close their doors against the egress of persons condemned for any crime resulting from manifest perversions of the heart—while the unfortunate should be more tenderly dealt with, and encouraged to reform themselves. But so it is, that the meshes of the law are too often broken through by "rogues of distinction," who are *artists* in villainy.

One of the editors of the Boston Centinel was lately assaulted in the street, after nightfall, by some ruffian, supposed to be a gambler, the editor alluded to having aided in the exposure of a den of villains of that character. Since the assault he has received the following anonymous note through the post office:

*Boston, May* 5, 1833.

*Sir:* The personal chastisement inflicted on you on Monday night, must convince you that justice, though slow, is sure. You have received an anonymous hint that for a certain paragraph that appeared in your paper some time back, (the object of which was to call the public attention to a certain house in this city), you should not go unpunished.

If you are wise, institute no inquiries into this affair, but let it blow over, lest a greater evil befal you, the *loss of life;* for if that be extinguished, there is no promethean heat that can that light relume. I have given your brother editor of the Galaxy, a much broader preliminary hint than I have ever gave you, and I am inclined to think this affair of yours will convince him, there is something more in them than meets the eye or flesh in these corporeal chastisements and written hints.

If either of you are not silent now on a subject which does not concern you, which is connected with the morals of the city, you shall both hear in a more summary and decisive manner from ABELLINO.

LAW CASE. *State of Delaware versus John Porter*, jun. A very extraordinary trial under the above title is recorded in a Wilmington paper of the 14th instant. An indictment was found by the grand jury against John Porter, jr. for committing *mayhem* by emasculating a

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young lad of sixteen. It is the second offence of the kind in the United States—the former instance having been that of Potter, in North Carolina. The young lad gave a pitiful account of the manner in which he was waylaid and assaulted by the defendant—and his testimony was so direct and conclusive that the counsel for the prosecution made no remarks to the jury. The account concludes—

Chief justice Clayton briefly charged the jury to the effect—that the fact, the crime had been committed was notorious, and undisputed—that the question with the jury was, which testimony should be believed—that the prisoner had attempted to prove sickness and an *alibi*—that, on the countrary, the attorney general had produced witnesses invalidating this testimony—and it was for the jury to say, which should be credited—in short whether the prisoner was the individual who committed the deed.

The jury after a few minutes returned with a verdict of *guilty*.

The prisoner was then arraigned before the court to receive his sentence. He arose apparently much agitated—is of a dark complexion, black eyes—of a youthful appearance, no beard—with a general physiognomy entirely against him. His head apparently is broad between the ears, which phrenologists say is a development of the organ of destructiveness.

The chief justice, in a feeling and impressive manner, pronounced his sentence to be a fine of $2,000 to the state, and one year's imprisonment. The legislature of this state has since [this outrage] passed an act, making this crime capital, and punishable with death.

## BRIEF NOTICES.

The salary of the British ambassador at Paris is £10,000, say 50,000 dollars a year—of his secretary £1,000, or 5,000 dollars, and he has an *attache* at £400, or 2,000 dollars.

The New Bedford Mercury of the 28th ult. says—A *launch*, if launch it can be called, of rather a novel character, took place at a wharf in this place on Saturday afternoon—a vessel of about 300 tons, which had been thrown bottom upwards to be repaired, having been planked and finished in the lower part of the hull, which is under water when afloat, was attempted to be put into her destined element, by rolling over; but the plan was not fully executed. There was a great collection of people to witness the novel scene. The bottom of the vessel has been made almost new with timber as well as plank. During the night, another effort was made, which was successful.

We did not recollect that *Virginia* ever was a land of *witches*; but the Charlestown Free Press informs us that at the last meeting of the Virginia Historical and Philosophical society in Richmond, among other curious documents read, was "an authentic record, certified by the clerk of Princess Anne county, of the trial of a female in 1705, for *witchcraft*." The records of the early settlement of the Old Dominion, if they could be snatched from oblivion, would doubtless afford as many amusing specimens of popular superstition, as the extant histories of our New England brethren supply, for the amusement and edification of the descendants of the pilgrims. It may not be amiss to suggest, whether it would not advance the purposes of the Virginia Historical society, and contribute to the gratification of the public, if they would publish, in some suitable form, the various interesting facts, of which from time to time they become possessed?

The two hundred tons of *ice* lately exported from Boston for *Calcutta*, was surrounded with *tan*. If it shall arrive safely—a grand voyage will be made. It is a "Yankee notion"—and "chivalric" in trade.

The Lexington, (Ky.) Gazette notices the exhibition, in that place, of Miss Snyder, a young lady, about nineteen years of age, who is regarded as one of the greatest natural curiosities ever seen. The lady has neither hands nor arms, nor is there to be seen the least appearance of an arm! She has one leg and foot complete, with the exception of the toes being only *four* instead of five. The other leg has but one joint, (that of the ankle), and it is only but half the length of the first; the foot having on it, (like the other), only four toes. She is three feet one inch high, weighing 60 lbs. is in the possession of all her mental faculties, converses very fluently on any subject, and is very fond of engaging in conversation with her visiters. She sews, knits, paints, cuts a variety of flowers, watch papers, &c. and writes tolerably well with her left foot.

We notice the publication of a new weekly journal at Thomastown, Georgia, under the title of "*The Hickory Nut, and Upson Vigil*," with the motto "Crack it who may, it will be discovered to be sound to the kernel."

Goods were recently received at Cincinnati in *fifteen* days from the city of New York, by way of the Erie canal, the lake, and the Ohio canal and river.

It is stated that Mr. *Clay* purposes to pass through New England in the month of July next.

Benjamin S. Seaborn has been tried and found guilty of setting fire to the city of Raleigh.

The lands at Carrollton, belonging to the New Orleans canal and banking company, which cost the company $92,000, were sold on 1st of May for $250,000, leaving a profit to the bank of $148,000.

As two persons were lately ploughing a field on the south side of the island of Martha's Vineyard, they turned up a considerable quantity of silver coin, which seemed to have been tied up in a bag. The amount is said to have been from two to three thousand dollars.

Capt. Joseph C. Hall, of the marine corps, died suddenly on the 17th inst. on board the ship Franklin, lying at the navy yard, New York. He was much esteemed as an officer and man; and his remains were interred with the highest marks of respect.

We see in a Virginia paper a renewal of the old practice of noticing marriages—a certain Mr. B. has been joined to "the beautiful and much admired Miss F. A. C." and then follow three stanzas, about "heaven" and "even," "one" and "done," and "'mong the few" who "lov'd so true."

Certain convicts in the state prison of Connecticut, lately murdered one of the keepers that they might make an escape; but they failed, and three have been tried, found guilty and sentenced to death.

The Boston Atlas says:—"The works upon the dry dock at the navy yard in Charlestown, have been brought to a close. "Old Ironsides" is to be taken into it next week.

This dock is a splendid monument of the present state of the arts.

## FOREIGN NEWS.

### GREAT BRITAIN AND IRELAND.

A London paper of April 6, says—The directors of the bank of England held a meeting in the bank parlor this afternoon, at which the governor and deputy governor reported the minutes of the conference between them and lord Althorp, held a few days since. The precise tenor of the intentions of government with regard to the renewal of the charter, have not yet transpired, but we are assured that ministers have stated it as their intention to propose to parliament that the sum of £100,000 per annum shall be deducted from the sum paid to the bank of England for the management of the public debt, and that with this reduction in the amount paid to the company, and some changes of minor importance, the charter is to be renewed for a limited number of years.

In commenting upon the advices that had been received from this country, of the pacific settlement of the nullification question, the London papers say—

"On the whole, the conduct of general Jackson, in the trying situation in which he was placed with regard to South Carolina, was much applauded. The inaugural address of the president, delivered to the house of representatives on the 4th of March, and now before us, is a document written with great talent, but, like that which was published a short time since, in reference to the course to be pursued by the executive towards the nullifiers, is drawn up, not by the president himself, but by an individual who has been at his elbow ever since general Jackson filled the highest situation in the republic. This is well known in the United States."

*Dublin, April 2.* The "Volunteers" will hold their weekly meeting to-day. It will probably be the last, as the gagging bill (one of the names by which the Irish disturbance bill is designated here) is expected in Dublin before the close of the week. I think it likely, however, that the "Volunteers" will adjourn till Saturday, and, if their meeting should not be prohibited on that day, that they will adjourn till next Tuesday. It is the universal impression here that the lord lieutenant, after receiving the bill, will forthwith exercise the powers confided to him, by issuing a proclamation prohibiting any future meetings of the Conservatives, as well as the Volunteers. The motion which stands for discussion at the latter this day, is the following, which is to be brought forward by Mr. Barrett:

"That it is the opinion of the Volunteers that the Irish members should remain at their posts, in order to do as much good as possible to the English and Scotch people; and that they are also of opinion that every member should, on every question not incompatible with principle, oppose a ministry which has violated the naion, and risked the connexion between the two countries."

This resolution will, no doubt, be adopted by the volunteers.

On Saturday night, or early on Sunday morning, an armed party of Whitefeet attacked the house of Thomas Cross, a respectable farmer, living at Ballynafa, near Prosperous, demanded his arms, and, on being refused, fired into the house; Cross returned the fire, and shot a young man named Philip Geraghty, who was carried off by his party, and brought to his father's house at Millerstown, near Robertstown, and *thrown on a dunghill, though yet alive*, where he was found at day-light, by his mother, who went out to turn a horse out of her yard. He was brought into the house where he died in about an hour and a half. The distance from Cross's house to Geraghty's, the way he was brought, is five miles; he was traced by his blood by the party of police from Prosperous. Cross had but one man in his house, named Alcock, who refused to assist his master.

[*Dublin Evening Packet.*

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Yesterday evening a party of the Duleek police were patroling on the road bordering the demesne when they fell in with three men whom they called upon to stand; two of them submitted, but the third fled pursued by one of the constables, who fired with the view of intimidating the fellow, when he turned round and shot his pursuer through the body, which caused instant death. The murderer escaped, but the others are in custody; they are identified as having committed a robbery at Snugborough, about an hour before. [*Drogheda Journal.*

TURKEY AND EGYPT.

By an arrival at Baltimore, we have news from Smyrna to the 7th April, which says—"The authority of the Turkish government, which, it will be recollected, was for a short time suspended in consequence of the presence of an Egyptian armed force, was now regularly maintained at Smyrna; and peace between the porte and the pacha of Egypt was confidently looked for, through the intervention of the allied powers. This opinion is corroborated by the following extracts of letters from the best informed sources:

*Smyrna, April* 6. "We are waiting with great anxiety for further advices from Constantinople. Peace must be near at hand—at least every thing concurs in inducing this belief."

*Extract of another letter, same date.* "Our last advices from Constantinople, to 30th ult. give hope that the great exertions making by the ambassadors there will very soon result in a peace. When this desirable event takes place, we shall no doubt have a very animated business here."

☞The latest report at Smyrna was that "the Russians had entered Constantinople." [These are the most recent accounts from that quarter.]

LATEST NEWS.

*From London papers to the 11th April.*

GREAT BRITAIN AND IRELAND.

The "Whitefeet" continue their depredations. Mr. O'Connell denounces them as "atrocious"—the "vilest of the vile," "villainous miscreants"—deserving "the execration of every good or honest man," &c. It is very certain that the enormities of these wretches, have not only caused the passage of the "Algerine bill," as O'Connell calls it, but rendered it necessary that it should be put into force. Mr. O'C. has resolved to issue weekly letters to the people of Ireland, and the first has appeared. It is long, and we cannot give it at present. His main exhortations are to "agitate" the country, by discussing all questions relating to its interests—but to respect the laws, and put down the "Whitefeet." It is a very earnest and spirited address.

The court martial, under the Irish disturbance bill, has been organized at Dublin; and a considerable military force was about to proceed to Kilkenny.

Some of the London papers say, that lord Grey's ministry was on the wane. There is much speculation as to what will be done about the bank and the East India company.

Dennis Collins, the old pensioner, who threw a stone at the king, is ordered to be transported for life.

A new ship of 120 guns, the largest in the British navy and called the Royal William, has been launched at Pembroke.

The cholera has broken out on board a convict ship at the Motherbank.

The cotton and iron trades were brisk in England, and the woollen was doing well.

*Dublin, Sunday, April* 7. The following proclamation extending the provisions of the bill to the county and city of Kilkenny, appeared in the Dublin Gazette. It is stated that a proclamation will appear early in the present week, prohibiting the meetings of the Volunteers, the Conservatives, and the Trades' Union:

*By the lord lieutenant and council of Ireland.*

A PROCLAMATION.

*Anglesey*—Whereas, by an act passed in the third year of his present majesty's reign, entitled "an act for the more effectual suppression of local disturbance and dangerous associations in Ireland," it is amongst other things enacted that it shall and may be lawful for the lord lieutenant and other chief governor or governors of Ireland, with the advice of his majesty's privy council in Ireland, at any time after the passing of the said act, and from time to time during the continuance thereof, as occasion may require, to issue his or their proclamation, declaring any county, county of a city, or county of a town in Ireland, or any portion thereof, respectively, to be in such a state of disturbance and insubordination as to require the application of the provisions of the said act.

Now, we, the lord lieutenant, do, by this our proclamation, in pursuance and execution of the said act, and by and with the advice of his majesty's privy council in Ireland, declare the county of Kilkenny, the county of the city of Kilkenny, the city of Kilkenny, and the liberties of the said city, to be in such a state of disturbance and insubordination as to require the application of the provisions of the said act.

And we do by this our proclamation, warn the inhabitants of the said county of Kilkenny, the city of the county of Kilkenny, the city of Kilkenny, and the liberties of the said city, to abstain from all seditious and other unlawful assemblages, processions, confederacies, meetings, and associations, and to be and remain in their respective habitations at all hours between sunset and sunrise, from and after Wednesday the tenth day of April instant, of which all justices of the peace of the said county, and county of a city, constables, peace officers, and other whom it may concern, are to take notice.

Given at the council chamber in Dublin, this 6th day of April, 1833. ROSSE. WM. M'MAHON, WM. SAURIN, JOHN RADCLIFFE, JOHN DOHERTY, F. BLACKBURNE, R. H. VIVIAN.

"God save the king."

FRANCE, &c.

Nothing of general interest appears to have happened in France, Belgium or Holland. Letters from Sicily, once the "granary of the world," say that an awful famine prevails—chiefly because that heavy rains had prevented the sowing of the crops. The plains have long been covered with water. The cities and towns are crowded by persons from the country, seeking food and employment.

PORTUGAL.

The affairs of Don Pedro seem much brightened. It appears that he has obtained a considerable supply of money—that he had 22,000 well disciplined troops, 7,000 of whom are French and 5,000 British. The differences with admiral Sartorius had been adjusted; and the opinion now is, that Pedro will succeed in his enterprise.

Don Carlos, of Spain, and the princess Beira, had arrived at Lisbon.

SPAIN.

The latest intelligence from the capital of this country is to the 1st ultimo, and principally leads to the distractions that prevail in the councils of the king. The weakness and oscillation of the king's mind are becoming daily more evident, and the forthcoming events in a country swayed by such a government, despotic in its power, and influenced moreover by a degrading subserviency to a bigotted priesthood, it is impossible to foresee.

TURKEY AND EGYPT.

We have long reports about the negotiations which have been attempted, and many long and learned speculations on coming events; but it is manifest that nothing of a decisive character has yet been done, to restore peace between the sultan and the pacha; and that the former must sink before the power of the latter, unless supported by foreign *arguments* or ARMS. It seems also certain that a Russian force was advancing, and that the Russian fleet will not, at present, leave the Bosphorus. Things were quiet at Constantinople, but the sultan had no reliance on the few troops that were collected there—only 15,000 men. Some suppose that a general war may grow out of the affairs of Turkey and Egypt. All the great powers of Europe are armed—and ready for fight. [The latest accounts from Turkey, are by the arrival at Baltimore, noticed above.]

GERMANY.

There was a great riot at Frankfort. A large body of young men in the dress of students, attacked the guard house, in the night, and the contest between the people and the soldiers lasted till morning. The soldiers prevailed—but a good many were killed or wounded, and the students sustained a severe loss. It is added that similar riots, or insurrections, had happened at Cassel, Wurtzburg, &c. and that *Austrian* troops were advancing for "the preservation of order," and to rivet the chains of slavery on the people—for these riots took place because of the systematic proceedings of the Germanic diet to put down liberal opinions, and silence free discussions. The king of Wirtemburg has issued a manifesto dissolving the general assembly of his states, and ordering a new election. The turbulent spirit of the former body is assigned as the reason of this proceeding. The prince of Hesse Cassel has also issued a manifesto, conceived in still stronger terms;—asserting that a majority of the chamber had, from the very commencement of the session, assumed an attitude hostile to the government.

The armed force of the German despots, we apprehend, is too strong to allow a hope for the freedom of the people. The first is a perfectly organized machine, which destroys at command, and does not reason. It is like one of the old engines of the "holy inquisition." It embraces and murders—"by the grace of God!"

## BRITISH TAX ON COTTON.

*From the Manchester (Eng.) Guardian.*

*The tax on cotton.* The directors of the Manchester chamber of commerce have just forwarded to the lords of the treasury a memorial praying strongly for the repeal of the heavy and impolitic duty on the importation of raw cotton. This document states that the consumption of this staple in the factories of the United States of America now extends to 77,516,316 lbs. *being as much as the whole consumption of Great Britain amounted to, less than twenty years ago; and that the competition of the American manufacturers already materially interferes with the interests of British merchants, in the markets of Mexico, the Brazils, and even in those of the Mediterranean.* The memorialists add that France also now produces yarn annually to the weight of 63,000,000 lbs. and that the value of her export of cotton goods for one of the last years amounted to no less than £2,192,940 sterling; also that Switzerland produces 19,000,000 lbs. of yarn, and has almost ceased to purchase from Great Britain any numbers below 50s. They further state that the cotton manufacture is increasing in Prussia, the Rhenish provinces, Lombardy, Austria and Saxony; that in all these countries the wages of labor are decidedly lower than in England; and that the repeal of our import duty is absolutely necessary to check their growing competition, and diminish the temptation to invest capital in the erection of factories on the continent, which capital, if the present system be continued, may it is much feared, be supplied in part at least by Englishmen. As to the impolicy of subject-

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ing to a heavy tax the raw material of by far the most important of our manufactures, the memorialists observe that they consider it needless to say much, that impolicy having, at the time of the recent augmentation of the tax, been frankly and fully admitted, both by the noble chancellor of the exchequer, and the right honorable vice president of the board of trade. And they pray, that since there appears every reason to hope, that at the end of the financial year there will be such a surplus revenue as to admit of some reduction of taxation, relief may be extended to the cotton manufacture by the removal of an impost which is not only from its very nature repugnant to every principle of political economy, but in its practical operation tends to expose to hazard and injury that branch of trade, on the prosperity of which, far more than that of any other of our manufactures, depends the employment and comfortable subsistence of our laboring population.

The tax on cotton, by "Boyd's British tariff" (1828) was *six per cent. ad valorem*—but if the product of a British colony, free. The reasons assigned for taking off even this small rate of duty, are clearly stated in the article quoted above—the "*competition*" of America, France, &c.

## IRISH CHURCH REFORM.

*From the Philadelphia papers.*

The ministerial plan of church reform for Ireland is again before the house of commons, lord Althorp having moved a series of resolutions in a general committee of the whole house, for the purpose of carrying the whole plan into effect. The resolutions in Monday's debate were opposed by Mr. Lefroy, Mr. Halcomb, sir Robert Inglis and sir Robert Peel, and supported by Mr. Shiel, Mr. Pryme, Mr. Macaulay and lord John Russell. The principal objection to the plan urged on Monday was, that the tax to be levied on the incomes of the Irish clergy, in lieu of the abolished first fruits, and to supply the amount of the churches, would be an unjust and oppressive exaction on a body of men who have already paid the first fruits of their livings, and who for three years past have received little or no income. First, as to the payment of the first fruits; what is the whole amount paid by the Irish clergy in first fruits? Not more than £3?1 a year for the last thirty years. This, therefore, must be regarded as merely a nominal payment; it is a pittance not worth mentioning.

As to the other objection, it leaves out of sight this most material fact, that the clergy have for ages been receiving enormous payments for most inefficient services, and often for no services at all; and that as the body of the people who pay the tax are of a different religion from the clergy who receive it, this is a system of injustice and oppression which has now grown to so great a practical grievance that it is in imminent danger of tumbling down about the years of those who support it. But even leaving all considerations of equity out of the question, what is the plain matter of fact? Why that the whole of the church revenues are in jeopardy; and they can only be rescued by the sacrifice of a part. For it is the enormous amount of those revenues that puts them in danger. They are burdensome to the people, and they are as unjust as they are burdensome. The church vessel has too heavy a cargo, and if the crew refuse to throw over a portion of it when the ship is laboring, the whole must sink together.

The speech of Mr. Shiel furnished numerous precedents for interference with church property, and for a just and rational settlement of the expenses of establishments where they exist. The strongest case was that of Canada, which being the work of a modern British legislature, shows common sense and justice. The majority of the Canadian population being Catholics, (that province having for a long time been French), parliament declared the Catholic to be the established religion; but the lands of Protestants were exempted from the tithes levied for the support of the Catholic clergy. The same principle ought *a fortiori* to be applied to Ireland; for the proportion of Protestants to Catholics is far less in Ireland than in Canada. The plain truth is, that if there is any established religion at all in Ireland, it ought to be the Catholic. On every principle on which churchmen themselves defend establishments, this ought to be the case. A Protestant establishment in a Catholic country is an anomaly, an injustice; and so far from being, in the eyes of any right judging Protestant, favorable to the spread of Protestantism, it affixes upon that religion a stigma and an odium, and is a heavy clog upon all its movements.

It burdens the Catholic, but it also binds him the more firmly to his own faith. It enriches, and at the same time enervates the Protestant; in peaceful times it makes him envied and hated—in times of trouble it makes him a victim and a spoil.

The only consideration which can induce dissenters or liberal Episcopalians to acquiesce in the ministerial plan, and to receive it with gratitude, is, that it is all which there is the least probability of attaining at present.

## THE CAPE DE VERD ISLANDS.

Attention is due to the extract annexed from a Boston paper. Our American charity is not always discriminating, and too frequently is prodigal of relief, without inquiring how far it is really needed, or gratefully received.

*From the Boston Daily Advertiser of 3d May.*

A letter from William G. Merrill, esq. consul at the Cape de Verd Islands, to William B. Reynolds, esq. chairman of the committee appointed in this city, for the relief of the sufferers, under date of the 4th of March, gives an account of the distribution of the provisions received from various parts of the United States. Mr. M. observes that before the arrival of these provisions, hundreds of persons perished, who might have been saved, if the governor would have permitted the sale of *orchilla*, but this being a monopoly of the crown, he was instructed not to allow this to be done on any terms. On the arrival of the Susan, twenty-five militia men and a small boat only, were furnished to Mr. Merrill to assist him in landing the cargo; while at the same time, the government found the means of chartering a vessel to convey soldiers to Africa, and another to Lisbon with despatches. The number of deaths by famine during the last year is represented by Mr. Merrill at about 33,000 nearly two-fifths of the population. The provisions for the relief of the sufferers which were sent from this country, had in some respects a very beneficial effect, and an unhappy one in others. There prevails an impression, says Mr. M. "*that the Americans will supply their future, as well as their present wants.*" Even some of property are impressed with the same idea, and have declined purchasing except for their own consumption, notwithstanding their being offered at low prices. In some instances, however, they would not, were they admitted duty free, which, *has not been the case to the present day*, and the reason why they have not been is, that it is, (as they wish to impress upon the minds of strangers), their only resource to pay their *soldiers*. The only act of the government, indicative of gratitude for the measures of relief, is an exemption of "all vessels sent out with provisions, freight free, (or a large portion of it), from port charges, and a permission to take salt enough to ballast them, duty free; with the exception of one or two privileges granted to Messrs. P. & C. Flint & Co. who were the first to offer their vessel to convey them, and to captain Rider, who announced the fact of the distress of the islanders to the American public. Mr. Merrill concludes by declaring, that as the government has the means of furnishing the islanders with provisions in future, as long as the orchilla is produced, any additional funds designed for their relief would only be misapplied by being sent to these islands.

A census of the population of the Cape de Verd Islands towards the end of 1831:

| | |
|---|---|
| Island of St. Thiago | 26,920 |
| St. Antao | 21,670 |
| Fuego | 16,870 |
| Brava | 9,320 |
| St. Nicholan | 8,530 |
| Bona Vista | 3,860 |
| Mayo | 1,640 |
| St. Vincent | 10,250 |
| Total | 88,460 |

Died by starvation in 1832, according to the best information:

| | |
|---|---|
| In St. Thiago, between 3 and 4 thousand, say | 3,500 |
| St. Antao, between 9 and 11 thousand, say | 10,000 |
| Fuego, between 11 and 13 thousand, say | 12,000 |
| Brava, above | 3,000 |
| St. Nicholan, above | 2,000 |
| Total | 30,500 |

☞We cannot but admire the *fidelity* of the governor, in holding on to the *orchilla*, during so great a destruction of life for the want of food! If the facts stated are true—many will regret the ill directed course of their charity, though feeling an honest pleasure in reflecting upon the motives which induced it.

Orchilla is a species of lichen, (says the Encyclopedia Americana), celebrated for yielding a fine purple color, which is employed in dyeing.

## LOTTERIES IN NEW YORK.

*From the Journal of Commerce.*

The answer of Yates & McIntyre to the call of the senate for a statement under oath, of the number and amount of schemes which have been drawn in this state since the 30th August, 1826, and the number and amount of tickets *sold* by them during the same period, has been promptly furnished, and seems to have left a favorable impression upon the minds of that body, since they proceeded, on the same day to accept the proposition of Messrs. Yates & McIntyre to *close the lottery business on the 31st. December next.* Had they credited the charges of gross deception and mismanagement brought against those gentlemen in a petition recently presented, they would not have permitted another scheme to be drawn. The assembly, if we mistake not, have already accepted the proposition of the managers. We may therefore safely conclude, that after the close of the present year, *all lotteries will be extinct in this state:* and what is still better, the new constitution declares that "no lottery shall hereafter be authorised in this state; and the legislature shall pass laws to prevent the sale of all lottery tickets within this state, except in lotteries already provided by law,"—i. e. lotteries which will have become extinct by virtue of the pre-

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sent arrangement, before the commencement of another year.

[☞The whole lottery system we think, will soon "go by the board," as it ought; for it is a most wicked gambling for money.]

## GEORGIA POLITICS.

The Milledgeville Recorder of the 8th inst. states that the columns of that paper had been kept open with the faint hope that they might lay before their readers some conventional proceedings of moment, but that nothing of public interest connected with the objects of the convention had been transacted.

The same paper states also, that contrary to an opinion expressed by its editors some weeks previous, "that the Troup party would have a majority," they now find the Clark party are predominant, out-numbering the Troup men from twelve to twenty. We annex the following from the Recorder, as containing the substance of the article to which we have above alluded:

They (the Clark party) have the power, and they have thus far exercised it, of controlling the convention. If they are really disposed to remedy the intolerable evils at present existing, to give to each freeman of the state as nearly as possible the same rights—if they are disposed to lessen the burdens of our citizens, and to render unnecessary additional taxation to meet the expenses of the government, in all this they will find zealous and cheerful coadjutors in the Troup minority. If the objects of the convention is left unaccomplished, or but partially and inefficiently performed, upon that party will assuredly rest the censure and the odium.

We seize this moment to say to our friends that within the three days past, since the members of the convention have met at this place, many things have taken place publicly and privately, which, when spread before them, will create their utmost astonishment, and, if we are not greatly mistaken, excite their strongest indignation. And as we feel it our duty, it is our determination to lay before the people the actings and doings, whether privately or publicly performed, of those to whom they have confided the important interests for which the convention was called into existence. This is the people's convention, they are entitled to be informed of the conduct of their delegates; and whether such an exposition shall tell for or against individuals, the people shall, (so far as it is within our power) be fully and precisely informed.

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On Thursday the 9th instant, the convention resolved itself into a committee of the whole, and the report of the committee of 27 was taken into consideration. Thursday, Friday and Saturday were consumed in speeches, and in the discussion of various propositions for the organization of the senate and house of representatives of the general assembly. Judging from what had taken place, it seems to be the opinion that the senate will be considerably reduced, if not the house. But the great point of contention is the basis of representation. Sectional feelings and interests had prevailed, so far, in the debate. A large number of the delegates, especially those of the north western counties, advocate the *white population* alone as the basis of representation, while the middle counties contend for the present basis of representation, which is the *federal*, as established in the constitution of Georgia, and in that of the United States. The delegates of the lower counties contend for *territorial representation*, and appear willing to unite with those who will offer them advantages in the general assembly which, on account of the sparseness of the population of those counties, they cannot possess, unless territory is represented in one or the other branch of the legislature. On Saturday the main question at issue was tested, in committee of the whole, and decided *in favor of white population as a basis for representation*, but it was thought, when the subject would come before the committee, the *federal* representation might be retained by a spirit of compromise between the various interests and views of the several sections of the country.

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At a numerous meeting of the citizens of Taliaferro county, Geo. on the 23rd ult. the following resolutions were adopted—

1. *Resolved*, That the law passed at the last session of congress, called the enforcing law, alias "THE BLOODY BILL," is arbitrary and despotic, and amounts virtually to a repeal of the constitution; that it attempts to establish a military despotism, whereby the reserved rights of the states and the liberties of the people are made dependent upon the decision of an irresponsible judiciary, and the discretion of the executive. Well may we have been warned to "*prepare for a Cæsar and the purple.*" As freemen, therefore, we denounce the law as a most dangerous innovation upon our sacred rights; and pledge ourselves to unite with our fellow citizens in resisting it at all hazards, wherever and by whomsoever, it may be attempted to be enforced.

2. *Resolved*, That Messrs. John Forsyth* and James M. Wayne, in supporting the enforcing bill, deserted the best interest of Georgia, betrayed the confidence reposed in them by going over to her enemies in the hour of trial, and have rendered themselves obnoxious to the charge of being influenced by a thirst for executive patronage, and unfit to represent a free people—and ought to resign.

And that we most cordially approve of the exertions of our other senator and representatives to maintain, for us, our constitutional rights.

3. *Resolved*, That, although we do not fully accord with all the principles of Mr. Clay's tariff bill, we are nevertheless disposed to accept this compromise; with the distinct annunciation that we will not abate our vigilant exertions, *until the duties shall be finally reduced to the revenue standard.* And "as that compromise should be our utmost concession, we must hold ourselves ready to take the most decided steps the instant it is violated."

4. *Resolved*, That the executive of Georgia, in the case of the missionaries, did, by his conduct, sacrifice the dignity of the state and prove himself incapable of sustaining her honor—and that a crisis has arrived in which it is all important to have a politician of tried firmness and ability at the head of our state government—and further,

*Resolved*, That, in the opinion of this meeting, there is no one so well qualified to repair the tarnished honor of the state as our *patriotic fellow citizen, George M. Troup.*

Each of which was, on motion, *unanimously* adopted by the meeting except the *fourth*, to which there was *one dissenting voice.*

Mr. Shackleford then introduced the following:

*Resolved*, That, having zealously contributed to the repeated elevation of Andrew Jackson to the presidential office, and with pleasure recurred to the better portions of his public course, we fearlessly condemn his inauspicious resolve to *coerce by the might of military force the collection of unconstitutional taxes.*

Which was, after some discussion, adopted by the meeting, *only two dissenting.* ABSALOM JANES, *chairman.*

A. D. SHACKLEFORD, *sec'ry.*

*Mr. Forsyth, one of the senators in congress, and Mr. Wayne one of the representatives. The latter has been chosen president of the convention, recently called to regulate the representation in the state legislature.

## LAW IN ALABAMA.

*Huntsville, (Alabama), April*, 30.

The circuit court of this county, his hon *Horatio G. Perry*, presiding, closed its session on last Thursday.

The case of *Wm. Hall against John Cowart and others*, for an assault and battery, brought to this court on a change of venue at the instance of the plaintiff, from the county of Jackson, came on to be heard before a jury, composed, in general, of the most respectable and intelligent men. Counsel for the plaintiff, Messrs. Levine and Craighead; for the defendants, Messrs. Clay, McClung and Parsons.

The plaintiff proved that about twenty persons, of whom the defendants, or most of them, were a part, came to his house, arrested him in presence of his family, in open day, and after carrying him some short distance, gave him fifty lashes; that he resisted the arrest by aiming to shoot and otherwise, during which they broke his gun and knocked him down with a stick. He also proved that several of the defendants, in conversations afterwards, had admitted that they and others, as members of the association commonly called the "slick company," had made the arrest and given the lashes; but that they did so as a punishment, under the slick law, for the crime which they said the plaintiff had committed, of passing counterfeit money, of which the counsel for the defendants offered to prove the plaintiff had been guilty. This proof, being objected to, was excluded: The counsel for the defendants then offered to prove that the plaintiff's general character was that of a counterfeiter and dishonest man, which, on objection, was likewise excluded; and no other proof being offered, the argument was heard.

The plaintiff's counsel insisted that their client had made out a cause of action in which the defendants had no legal excuse, and one meriting the most exemplary damages; and many fit topics were urged to induce them to assess such damages.

The defendants' counsel insisted that, as the plaintiff had resorted to proof of the confessions of the defendants, which admitted the punishment—asserted the crime for which it was inflicted, and disclosed the character in which the defendants acted, the whole confession must be taken together. This being the case, the crime for which they punished the plaintiff, and the character in which they acted, formed the only excuse on which they relied. It was insisted further, that the slicks had done much good—that the company was composed of men of the best character, and of known discretion, and that they had punished no innocent man: That, according to the common fame of the times, which was relied on as having the effect of historical truth, there had lurked about the borders of Jackson a band of counterfeiters, who had very much annoyed the mass of population, distinguished, it was said, for virtue and social order, and inundated the country with a spurious currency—that they could not be prosecuted to effect in the county, by reason of their having many accomplices, by whom they could prove any fact necessary to their acquittal; and that honest juries were disinclined to convict for that offence, because the penalty was death, and that as the slick law was milder, and the company had greater facilities of detection, they could do, and had done, more to arrest the progress of the evil than the law of the land had done, or could do. One of the counsel reminded the jury, that, if they assessed damages at all in favor of the plaintiff, it would have to be paid in *good money*; and that it would be the first that had astonished the plaintiff's pockets for a good while. The jury, after a short retirement, returned a verdict for the plaintiff, and assessed the damages at a hundred dollars.

[*Southern Advocate.*

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## ARMY OF THE UNITED STATES—OFFICIAL.

HEAD QUARTERS OF THE ARMY.

*Adjutant general's office, Washington, 4th May, 1833.*

1. The following list of promotions and appointments in the army of the United States, made by the president, since the publication of the army register, in January, is published for general information:

I. PROMOTIONS.

*First regiment of artillery.*

1st lieut. Matthew A. Patrick, to be captain, 4th February, 1833, vice Dana, deceased. [Company B.]

2d lieut. Francis Taylor, to be 1st lieutenant, 31st January, 1833, vice Cook, resigned.

2d lieut. Alexander D. Mackay, to be 1st lieutenant, 4th February, 1833, vice Patrick, promoted.

Brevet 2d lieut. Jacob Ammen, to be 2d lieutenant, 1st July, 1831, vice Taylor, promoted.

Brevet 2d lieut. Jacob W. Bailey, to be 2d lieutenant, 1st July, 1832, vice Mackay, promoted.

Brevet 2d lieut. Henry G. Sill, to be 2d lieutenant, 1st July, 1832, vice Ryan, resigned.

*Fourth regiment of artillery.*

1st lieut. John H. Washington, to be captain, 30th May, 1832, vice Ripley appointed captain in the ordnance department. [Company B.]

2d lieut. Raphael C. Smead, to be 1st lieutenant, 30th September, 1832, vice Monroe, resigned.

Brevet 2d lieut. Benjamin S. Ewell, to be 2d lieutenant, 1st July, 1832, vice Smead, promoted.

*First regiment of infantry.*

1st lieut. Thomas P. Gwynne, to be captain, 4th March, 1833, vice Mason, appointed major of dragoons.

2d lieut. Thomas B. W. Stockton, to be 1st lieutenant, 4th March, 1833, vice Gwynne, promoted.

Brevet 2d lieut. George Wilson, to be 2d lieutenant, 1st July, 1830, vice Stockton, promoted.

Brevet 2d lieut. Edmund A. Ogden, to be 2d lieutenant, 1st July, 1831, vice Davis, appointed 2d lieutenant of dragoons.

*Second regiment of infantry.*

1st lieut. John Clitz, to be captain, 4th April, 1832, vice Thompson, promoted. [Company A.]

1st lieut. Ephraim K. Barnum, to be captain, 28th December, 1832, vice Brent, resigned. [G.]

2d lieut. Hannibal Day, to be 1st lieutenant, 4th April, 1832, vice Clitz, promoted.

2d lieut. William Bloodgood, to be 1st lieutenant, 28th December, 1832, vice Barnum, promoted.

2d lieut. Samuel P. Heintzelman, to be first lieutenant, 4th March, 1833, vice Sumner, appointed captain of dragoons.

Brevet 2d lieut. Edwin R. Long, to be 2d lieutenant, 1st July, 1829, vice Day, promoted.

Brevet 2d lieut. James M. Hill, to be 2d lieutenant, 1st July, 1830, vice Bloodgood, promoted.

Brevet 2d lieut. Jesse H. Leavenworth, to be 2d lieutenant, 1st July, 1830, vice Heintzelman, promoted.

Brevet 2d lieut. George W. Patten, to be 2d lieutenant, 1st July, 1830, vice Van Buren, appointed 1st lieut. of dragoons.

*Third regiment of infantry.*

Brevet major John Fowle, captain of the 5th infantry, to be major, 4th March, 1833, vice Kearney, appointed lieutenant colonel of dragoons.

Brevet 2d lieut. Samuel K. Cobb, to be 2d lieutenant, 1st July, 1828, vice Stillwell, resigned.

*Fourth regiment of infantry.*

Brevet 2d lieut. David A. Manning, to be 2d lieutenant, 1st July, 1830, vice Swords, appointed 2d lieutenant of dragoons.

Brevet 2d lieut. Charles H. Larned, to be 2d lieutenant, 1st July, 1831, vice Burnet, resigned.

*Fifth regiment of infantry.*

1st lieut. John M. Baxley, to be captain, 4th March, 1833, vice Fowle, promoted.

2d lieut. Moses C. Merrill, to be 1st lieutenant, 4th March, 1833, vice Baxley, promoted.

2d lieut. Ephraim K. Smith, to be 1st lieutenant, 4th March, 1833, vice Hunter, appointed captain of dragoons.

Brevet 2d lieut. James Allen, to be 2d lieutenant, 1st July, 1829, vice Merrill, promoted.

Brevet 2d lieut. John T. Collingsworth, to be 2d lieutenant, 1st July, 1830, vice Perkins, appointed 1st lieut. of dragoons.

Brevet 2d lieut. C. C. Daveiss, to be 2d lieutenant, 1st July, 1830, vice Smith, promoted.

*Sixth regiment of infantry.*

Brevet major Alex. R. Thompson, captain of the 2d infantry, to be major, 4th April, 1832, vice Davenport promoted.

1st lieut. George W. Waters, to be captain, 4th March, 1833, vice Wharton, appointed captain of dragoons.

2d lieut. Henry St. James Linden, to be 1st lieutenant, 4th March, 1833, vice Waters, promoted.

2d lieut. Gustavus Dorr, to be 1st lieutenant, 4th March, 1833, vice Holmes, appointed captain of dragoons.

Brevet 2d lieut. William Hoffman, to be 2d lieutenant, 1st July, 1829, vice Linden, promoted.

Brevet 2d lieut. Albert Cady, to be 2d lieutenant, 1st July, 1829, vice Dorr, promoted.

Brevet 2d lieut. Jona. Freeman, to be 2d lieutenant, 1st July, 1829, vice Cooke, appointed 1st lieutenant of dragoons.

Brevet 2d lieut. Thomas L. Alexander, to be 2d lieutenant, 1st July, 1830, vice Rousseau, resigned.

*Seventh regiment of infantry.*

1st lieut. Charles Thomas, to be captain, 30th April, 1833, vice Burch, resigned.

1st lieut. James L. Dawson, to be captain, 30th April, 1833, vice Berryman, resigned.

2d lieut. William G. Williams, to be 1st lieutenant, 30th April, 1833, vice Thomas, promoted.

2d lieut. Dixon S. Miles, to be 1st lieutenant, 30th April, 1833, vice Dawson, promoted.

Brevet 2d lieut. Samuel Kinney, to be 2d lieutenant, 1st July, 1830, vice Seawell, appointed 1st lieutenant of dragoons.

Brevet 2d lieut. Richard H. Ross, to be 2d lieutenant, 1st July, 1830, vice Williams, promoted.

Brevet 2d lieut. Albert M. Lea, to be 2d lieutenant, 1st July, 1831, vice Miles, promoted.

II...APPOINTMENTS.

*Staff.*

Adam D. Stuart, of Va. to be paymaster, 14th January, 1833.

Joseph D. Harris, N. Y. to be assistant surgeon, 2d March, 1833.

Nathan S. Jarvis, N. Y. to be assistant surgeon, 2d March, 1833.

Richard Clark, of N. Y. to be assistant surgeon, 2d March, 1833.

Adam N. McLaren, S. C. to be assistant surgeon, 2d March, 1833.

Benjamin F. Fellowes, N. H. to be assistant surgeon, 2d March, 1833.

*Ordnance department.*

James W. Ripley, late captain of the 4th regiment of artillery, to be captain, to take rank from the 30th May, 1832.

*Regiment of dragoons.*

Major Henry Dodge, of the battalion of mounted rangers, to be colonel, 4th March, 1833.

Major Stephen W. Kearny, of the 3d regiment of infantry, to be lieutenant colonel, 4th March, 1833.

Captain Richard B. Mason, of the 1st regiment of infantry, to be major, 4th March, 1833.

Captain Clifton Wharton, of the 6th regiment of infantry, to be captain 4th March, 1833.

1st lieut. Edwin V. Sumner, of the 2d regiment of infantry, to be captain, 4th March, 1833.

1st lieut. Reuben Holmes, of the 6th regiment of infantry, to be captain 4th March, 1833.

1st lieut. David Hunter, of the 5th regiment of infantry, to be captain, 4th March, 1833.

2d lieut. Washington Seawell, of the 7th regiment of infantry, to be 1st lieutenant, 4th March, 1833.

2d lieut. David Perkins, of the 5th regiment of infantry, to be 1st lieutenant, 4th March, 1833.

2d lieut. Philip St. George Cooke, of the 6th regiment of infantry, to be 1st lieutenant, 4th March, 1833.

2d lieut. Abraham Van Buren, of the 2d regiment of infantry, to be 1st lieutenant, 4th March, 1833.

2d lieut. Jefferson Davis, of the 1st regiment of infantry, to be 2d lieutenant, 4th March, 1833.

2d lieut. Lancaster P. Lupton, of the 3d regiment of infantry, to be 2d lieutenant, 4th March, 1833.

2d lieut. Thomas Swords, of the 4th regiment of infantry, to be 2d lieutenant, 4th March, 1833.

2d lieut. J. H. K. Burgwin, of the 2d regiment of infantry, to be 2d lieutenant, 4th March, 1833.

III—CASUALTIES.

*Resignations.*

*Captains.* Joshua B. Brant, 2d infantry, 28th December, 1832. Daniel D. Burch, 7th infantry, 30th April, 1833. Henry Berryman, 7th infantry, 30th April, 1833.

*1st lieut.* James H. Cooke, 1st artillery, 31st January, 1833.

*2d lieutenants.* Stephen V. R. Ryan, 1st artillery, 31st March, 1833. W. S. Stilwell, 3d infantry, 31st March, 1833. Robert W. Burnet, 4th infantry, 31st March, 1833. Gustavus S. Rousseau 6th infantry, 30th April, 1833.

*Brevet 2d lieutenants.* Henderson K. Yoakum, 3d artillery, 31st March, 1833. John G. Harvey, 2d infantry, 15th February, 1833. George B. Crittenden, 4th infantry, 30th April, 1833.—Humphrey Marshall, mounted rangers, April 30th, 1833.

*Assistant surgeon.* John Thruston, 1st May, 1833.

*Paymaster.* Alphonso Wetmore, 1st May, 1833.

DECLINED.

2d lieut. James F. Izard, regiment of dragoons. 2d lieutenant Joseph Ritner, regiment of dragoons.

DEATHS.

*Captain.* Nathaniel G. Dana, 1st artillery, 4th Feb. 1833.

2. Major Thompson, of the 6th regiment of infantry, is assigned to the command of fort Leavenworth, to which post he will repair, without unnecessary delay. Major Fowle, of the 3d infantry will report in person for orders, at the adjutant general's office. All other officers promoted will report by letter to their respective colonels, and join their proper stations, unless otherwise instructed from this office.

3. The date of lieut. H. A. Wilson's promotion to 1st lieut. in the 4th regiment of artillery, is *May 30th*, 1832 instead of "September 30th, 1832." This change of date results from the recent promotion of 1st lieutenant Washington, vice captain Ripley, appointed captain of ordnance.

By order of major general Macomb,

R. JONES, *adj't general.*

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## REPORT ON MANUFACTURES.

*Report of the minority of the committee on manufactures, prepared and submitted by Mr. Adams.*

HOUSE OF REPRESENTATIVES, FEBRUARY 28, 1833.

Mr. *Adams*, by direction from the majority of the committee on manufactures, moved that the committee be discharged from the further consideration of the matters referred to them by the house; and, on the part of the minority of the same committee, he presented the following report on so much of the president's annual message to congress as relates to domestic manufactures and the protection necessary to be afforded the same; referred to the committee by resolution of the house, of 13th December, 1832.

The subscribers, members of the committee on manufactures, to which was referred so much of the message of the president of the United States to congress, at the commencement of the present session, as relates to the protection necessary to domestic manufactures, dissenting from the report of the majority of the committee, present herewith respectfully to the house their own views upon the subject referred by the house to the committee to report thereon.

The parts of the message which relate to the protection necessary to domestic manufactures, may be considered separately or in connexion with other great national interests, forming the subject of the annual communication from the chief of the executive department of the government to the legislature. In the message itself they are recommended to the consideration of congress, in connexion with proposals for such further reduction in the revenue as may not be required for the objects of general welfare and public defence, which the constitution authorises, and for which reduction the occasion is stated by the president to result from the impending final discharge of the national debt; an event on the occurrence of which the subscribers most cordially sympathise with the sentiments expressed by the president. They consider the final and total discharge of the public debt as a subject of grateful acknowledgment to the wisdom, energy, and fidelity to their trust, of those who preceded us in the management of our national concerns; of mutual gratulation to ourselves, who enjoy the benefits of this alleviation of the burdens cheerfully borne by our fathers, and hitherto by us, for the sacred preservation of the public faith; and of anticipated felicity to our successors in the exemption from burdens which we and our fathers have borne without murmuring or complaint, to secure to them, our posterity, the blessings of freedom, independence and union. Enjoying, in all the purity of patriotism, the comfort of this great alleviation of public burdens, the subscribers deprecate, with equal earnestness and sincerity, the contingency of any event which should, at the very moment of fruition, dash from the lips of our prosperity the cup of joy, and substitute, in its place, the bitter potion of disunion, civil dissension, and fraternal war.

Under these impressions, it was not without feelings of deep concern, and of painful sensibility, that the subscribers beheld, in the message of the president of the United States, the broad and unqualified assertion of principles, and the development of an entire political system for the future government of the union, as new and unheard of, as to them it appears incorrect, and incompatible with the foundations of our political existence.

The first of these principles, and that from which all the others appear to the subscribers to be derived—the basis of the message and of the whole system of administration, for the futurity of this union, is contained in the following position, which the subscribers submit to the consideration of the house in the very words of the message itself—"The wealth and strength of a country are its population, and the *best part* of that population are the cultivators of the soil. Independent farmers are, every where, the basis of society, and true friends of liberty."

That the president of the United States should, in a public document, addressed to the representatives of the whole people of this union, peremptorily declare one part of the population, by them represented, better than the rest, appears to the subscribers little compatible with that equality of rights upon which our whole social system is, by them, believed to be founded. If one part of the population, parties to the social compact, is the best, it necessarily follows that another part of the same population is the worst; that there are different degrees of merit in different portions of the same population, estimated not by their moral, but by their social condition; not by their individual qualifications of virtue and understanding, but by their respective occupations and possessions.

In examining this fundamental principle of politics and morals, thus put forth as the foundation for the system of policy to be hereafter erected for the government of this great and growing confederated nation, the subscribers have endeavored to ascertain to whom it is that this proud pre-eminence of merit is assigned by the chief executive magistrate of the union. He asserts that the wealth and strength of a country are its population, and that the best part of that population are the cultivators of the soil. Now, the population of a country consists of the whole mass of human beings abiding within it; and, of the population of this country, a vast proportion of the cultivators of the soil are in a state of servitude—possessing no rights, civil or political—and existing only as the property of another part of the same population. That these cultivators of the soil constitute a large portion of the wealth of this country, is undoubtedly true; that they constitute a considerable portion of its strength is far more questionable; but the subscribers cannot believe it was to them that the intention of the president was to ascribe the transcendent honor of constituting the best part of our population; and, if not to them, neither was it to the class of freemen, in another part of the union, also cultivators of the soil, laboring, like them, by the sweat of their brow, for their daily subsistence, by daily labor, but in the full enjoyment of civil and political rights, and constituting, in truth, not a better, but as good, a part of the population as any other in the community. It was not, however, to them that the president intended to attribute the superiority of excellence as a component part of the population. His meaning is more fully disclosed in the subsequent clause of the sentence above cited, in the affirmation that "independent farmers are every where the basis of society, and true friends of liberty." Taking the whole sentence together, the subscribers believe that, in the understanding of the author of the message, the cultivators of the soil, in the first part of the sentence, were identical with the independent farmers in the second; and that the sentiment, in the mind of the writer, and the aphorism of moral and political economy laid down by the whole sentence, is that, in all countries, generally, and especially in our own, the best part of the population—the basis of society—and the friends pre-eminently of freedom, are the *wealthy land-holders.*

This principle is certainly not new in the history of the world, or of human government; it is the fundamental axiom of all landed aristocracies; it is the foundation of the feudal system, and, when carried out into practice, must inevitably resolve itself into it. The term aristocracy, by its derivation, is the government *of the best;* and where the property of the soil is distributed in portions so unequal, that its cultivators are divided into masters and slaves, or into landlords and tenants, power will naturally concentrate itself in the hands of the large holders of the lands, who will soon constitute themselves the basis of society—the independent farmers the best part of the population—true friends of liberty, confined exclusively to themselves, but holding in oppressive servitude the real cultivators of the soil, and ruling, with a rod of iron, over all the other occupations and professions of men.

Such has been the development of this fundamental principle of government, in the history of other ages and countries. So has it especially disclosed itself in the annals of France, of Spain, of Germany, of Poland, of Russia and of England. The independent farmers, or wealthy land holders, of all those countries, have constituted the ancient feudal barons, as they now constitute the modern nobles, holding the laborious husbandmen of the same countries in servitude, or in abject poverty and the most degrading dependence.

The subscribers believe that the Declaration of Independence, and the government of this union, are founded upon a different and opposite principle—upon the principle that all men are born with equal rights; and that however in one portion of the union, the independent farmers or planters, cultivating the soil by their slaves, may be considered, by one of themselves, as the basis of society, and the best part of the population, the assumption of such a principle, as a foundation of a system of national policy for the future government of these United States, is an occurrence of the most dangerous and alarming tendency; as threatening, at no remote period, not only the property, but the peace of the country, and as directly leading to the most fatal of catastrophes—the dissolution of the union by a complicated, civil and servile war.

Had it been possible for the subscribers to consider the principles thus authoritatively laid down in the message as a mere abstract speculative opinion, indicative only of a mind habitually occupied in meditation upon the first principles of government, they might have deemed it their duty to pass it over in silence, regretting that an opinion so adverse to all the lessons of history, and to every rational theory of human rights, should ever have found its way into the mind of the executive chief of the union: and still more into an official communication from him to the legislative assembly of the nation. But they find it pervading every part of the message relating to the administration of the internal affairs of the country—they trace it in the denunciation of uncompromising hostility to the bank of the United States—they discern it in the general dissuasion of all future encouragement, or aid to be given to objects of internal improvement—they perceive it in the portentous recommendations to abandon all purpose of deriving a revenue for the general benefit from that invaluable fund of national wealth—the public lands; and in the astonishing proposal to give them all away to the states within which they are situated, or to adventurers who may be allured by promises of sharing in those spoils of the national domain, plundered from the whole people of the union, to become members of this best part of the population, the independent farmers, cultivators of the soil, taken from all their fellow citizens to be gratuitously bestowed upon them. They see it, above all, in the destiny to which the message consigns the great manufacturing interest of the country, including the handicraftsmen and mechanics of all our populous cities and all our flourishing towns. These are not the basis of society—they are not the cultivators of the soil—they are not the best part of the population—their equal rights may be trampled upon—their highest interests may be sacrificed—their property may be wrested from their hands—themselves and their families may be driven by measures of national policy, by acts of the government of the union, to beggary and ruin, for the benefit of the independent farmers, the wealthy land-holders—the best part of the population.

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Such are the practical consequences which must flow from the reproduction by the head of this national union, as a fundamental principle of government of the old and long exploded doctrine, that the wealthy land-holders of all countries constitute the best part of their population. Under this theory it can no longer be surprising to find in the message an entire system of propositions and of recommendations, which, if adopted and sanctioned by the legislature, will accomplish a revolution in the government of the United States, and, in the solemn and deliberate opinion of the subscribers, a total subversion of their constitution.

In descending from the general axiom, that in all countries the independent farmers or wealthy land-holders, cultivators of the soil, constitute the best part of the population, to the measures of legislation recommended to congress for carrying out this principle, in the administration of the government, four features are discernible, as especially characteristic of the message. First, the abandonment for the future of all appropriations of public monies to purposes of internal improvement. Second, the practical total dereliction of all protection to domestic industry, whether agricultural, manufacturing or mechanical. Third, the nullification of all future revenue from the public domains, by the bestowal of them in free donation to voluntary settlers upon them, from the privileged class of citizens, cultivators of the soil, to swell the numbers of the best part of the population, at the expense of all the rest, or to the favored states in which this common property happens to be situated. Fourth, the denunciation of the bank of the United States, depreciating the value of the stock held in it by the nation; distressing the commercial community with suspicions of the solidity of its funds, and stimulating the profligacy of fraudulent gambling in its stock. In every one of these four particulars the recommendations of the message are in diametrical opposition to the well established, deliberately adopted, and long tried policy, by which the union has hitherto been governed, under the present constitution of the United States—in diametrical opposition to the purposes for which it was formed—to the principles upon which it has been administered, and, with the most painful, but most undoubting conviction, the subscribers must add, to the solemn compacts and indefeasible obligations by which the nation is bound.

Although the plan of government marked out and delineated in the message forms a whole system, sufficiently consistent with itself, and all derivable from the fundamental position that the wealthy land-holders constitute the best part of the population, yet it is observable, that in every instance the subordinate principle advanced as the groundwork of each separate recommendation, is, by the terms of the message, so qualified in the theory, as scarcely, if at all, to differ from the views and opinions entertained by the friends of the interest which the recommendation itself is adapted to destroy. Thus, for example, in the recommendation to abandon all future appropriations of public monies for purposes of internal improvement, the only principle avowed is, "that the constitution does not warrant the application of the funds of the general government to objects of internal improvement, *which are not national in their character.*" From this position, the most ardent and most liberal friend of internal improvement will not dissent. No appropriation ever has been asked—there is not the shadow of a danger that any appropriation of funds ever will be asked, but for objects alleged to be of a national character; and of their legitimate title to that character, the representatives of the whole people, and of all the state legislatures in congress assembled, under the control of a qualified negative by the chief magistrate of the union, all acting under a constant responsibility to their constituents, are qualified and competent judges. That there will be, as there have been, diversities of opinion, whether any specified object of internal improvement is or is not of a national character, may be freely admitted; and that in all cases where it may be reasonably doubted, the wise and prudent policy of the constituted authorities will induce them rather to withhold than grant the appropriation, is a conclusion deducible not less from the experience of the past, than from the confidence due to the moral character of the delegated representatives of the nation. That in the great majority of applications for appropriations in aid of internal improvements, which have been made to congress, the objects for which they were solicited have been of a national character could not be, and was not doubted. Of the appropriations made, the subscribers confidently affirm, that none can be pointed out which are not unquestionably of that character. If there has been error in the administration of the government, in the application of appropriations to these objects, it has been an error of parsimony and not of profusion; a refusal of the public money where it ought to have been granted, and not a bestowal of it where it ought to have been denied. In the sober and honest discretion of the legislature, under the vigilant supervision of the executive chief, a guard amply sufficient for the protection of the public resources against wasteful or improvident expenditures, has been provided by the constitution.

It is said in the message, that, "without some general and well defined principles, *ascertaining* those objects of internal improvement to which the means of the nation may be constitutionally applied, it is obvious that the exercise of the power can never be satisfactory." Suppose this position, in its fullest extent, to be admitted. The message does not deny that the power of granting appropriations for internal improvements of a national character is vested, completely and unequivocally vested, in congress, by the constitution; and the president himself, in the discharge of his official duties, has, in numerous instances, given his sanction to such appropriations. And in that grant of power, as in all others, is necessarily and unavoidably implied the power of ascertaining and defining the principles upon which, in the spirit of the constitution, it shall be exercised. If, therefore, in the exercise of the power of making such appropriations hitherto, there has been a neglect or omission to ascertain and define the principles upon which they have been made, it is a duty yet to be performed by congress itself, and which requires the interposition of no other power. It is obvious that to resort elsewhere than to congress itself, to ascertain and define the objects upon which the power is unquestionably delegated to them of appropriating public monies to internal improvements, is precisely equivalent to a denial of the right of congress to exercise the power in all cases whatsoever.

With regard to the danger to which the message supposes congress may be exposed of making hasty appropriations to works of the character of which they may be frequently ignorant, the argument necessarily presupposes a habitual, gross and criminal neglect of their duties; by a majority of both houses of congress, a reflection upon the honor and honesty of those bodies, of which the subscribers deem it sufficient to say that it is equally unwarrantable and misplaced. So long as the members of both houses of congress shall entertain a just sense of their duties to their country, to their constituents, and to their own characters: so long there is, and will be, no danger—none, whatever, of their being exposed to make hasty appropriations to works of the character of which they are ignorant, or to any other purpose. The members of both houses of congress, are accountable for the wisdom as well as for the purity of their official conduct, not to the executive magistrate, himself accountable to them for his own, but to their constituents and to their country. Nor has that country committed to the executive magistrate the custody of its own purity, in the exercise of the elective franchise. If it be true that a prospect of making navigable a creek or river—of bringing commerce to the doors of the people—or of increasing the value of their property, may operate occasionally as inducements to individuals to favor by their suffrages the success of a candidate whom they may suppose to be better qualified than his opponent, to obtain for them those great and valuable improvements—is it justice or equity—is it a fair perception of the nature of things, to stigmatize this as a corrupting influence? No influence can be more just and pure. To benefit the people, by making navigable the river or creek in their neighborhood—by bringing commerce to their doors—and by increasing the value of their property, are among the most important and most valuable services that a representative can render to his constituents. To draw good from evil, is one of the high and holy attributes of Omnipotence. To draw evil from good, is the peculiar attribute of the arch enemy of mankind; but singular, indeed, is the aspect of that political axiom, which imputes dishonesty to the representative in the zeal with which he promotes the interests of his constituents; and finds the evidence of corruption in the exercise of the highest beneficence. Suppose this calumniated influence to be successful; suppose a candidate to be elected to congress, by the confidence of his constituents in the superiority of his talent and capacity to obtain appropriations of public money to render their neighboring river navigable—to bring commerce to their doors, and to increase the value of their property—talent and capacity are qualities of which men seldom form erroneous estimates, in the choice of their representatives, when their judgments are enlightened by their interest. Talent and capacity, brought into the representative councils of the nation, by the selection of a member for one district, under the influence of a belief that it will be exerted for the benefit of those by whom he is chosen, is talent and capacity available on the scene where it has been introduced, for all the great interests of the nation. It is there that the representative of every single district becomes a representative of the whole people. As the representative of one district, he has, to promote the interests of his immediate constituents, but one of more than two hundred votes. But that one vote he has also upon all the questions within the competency of congress, and affecting the interests of the whole nation, and of all its parts. The result then of every election which brings into this house a member, recommended to the favor of his constituents by the zeal and ability with which he may promote the internal improvement of his own neighborhood, is essentially advantageous to the whole nation, and has a direct tendency to establish a high standard of intellectual worth, as the measure of qualification for a seat in the house. It is congenial to that spirit of moral elevation and dignity which constitutes the only solid foundation of representative government; and it is only by confounding the elements of good and evil, that it can be stigmatised as tainted with corruption.

As little can the subscribers yield their assent to the reasoning in the message, which effectively urges upon congress to refrain from the exercise of all powers of which more than one-fourth, that is, seven states of this union, would be unwilling now to make the grant, and which any still smaller portion of the people may, at any period since the existence of the constitution, have opposed or resisted under the vague and indefinite denomination of doubtful powers. Fearful and hopeless, indeed, would be the condition of the people of these United States, if every grant of power delegated by them, for their own benefit and improvement, to their united national supreme legislature, should be annulled or struck with impotence by every scruple

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of doubt which the refinements of metaphysical subtlety, the transient ebullitions of popular excitement, or the factious instigations of electioneering artifice, have, from time to time, disseminated over different sections of the country. There is, perhaps, not a single grant of power to congress in that great national compact of government, the constitution of the United States, which at some period of our history has not been assailed by numerous parties and their controversial wranglers, as doubtful powers; even at this hour we are, apparently, on the verge of a conflict in arms, on the very borders of a civil war with one of the states of the union, for the exercise of powers, the want of which first gave rise to the constitution itself, which have been quietly exercised from the organization of the government for nearly forty years without a dissenting voice; and which now, under the new lights of nullification have been discovered to be such plain and palpable violations of the constitution, as to warrant the state in which this discovery has been made, in resorting to her sovereign power, to declare them within her own borders null and void. There are seven states of this union, the whole free population of which by the returns of the last census, amounted only to seven hundred and seventy one thousand two hundred and eighteen souls; a majority of these, sufficient to command the vote and decision of them all, would be less than four hundred thousand; and thus, upon the recommendations of the message, a nation consisting of ten millions of freemen, must be crippled in the exercise of their associated power, unmanned of all their energies applicable to the improvement of their own condition, by the doubts, scruples, or fanciful discontents of a portion among themselves, less in number than double the amount of population in the single city of New York.

The subscribers assume as a principle, demonstrated beyond all possibility of doubt, that of the whole free population of the union, a vast majority—they entertain, themselves, no question that it is a majority amounting to more than three-fourths of the whole—believe, without a scintillation of doubt, that the power of appropriating public monies to objects of internal improvement of a national character, as understood by congress itself, has been delegated to congress by the whole people, in the constitution of the United States. The message itself does not question this grant of power; and it is tacitly affirmed by the chief magistrate himself, in his sign manual affixed to every act of congress making such appropriations which has received his signature. What reason or motive, then, can there be for congress to interdict itself from the exercise of beneficent power, essential to the welfare and prosperity of the whole people, to gratify the dog-in-manger disposition of less than one-twentieth part of the community? Truly, very truly, does the message say that "there is nothing so worthy of the constant solicitude of this government as the harmony and union of the people;" but, is it imagined that harmony and union can be promoted by the perpetual sacrifice of the will, the interest, and the well-being of nineteen-twentieths of the whole people, to the contracted and envious passions or to the sordid parsimony of the remaining twentieth? The subscribers will neither express nor entertain a suspicion that the recommendation to apply to the states of this union for grants of additional power to congress, and in the mean time to abstain from the exercise of all powers, which the one-twentieth part of the people may be pleased or instigated to consider as *doubtful*, was not made in good faith and sincerity; but without questioning the motive which could lead to such a proposal, they cannot but regard it in effect as disclosing the purpose of disabling and abdicating all power of making appropriations for all and every great object of internal improvement hereafter and forever. As little hesitation have they in declaring it as their belief, that this purpose, and the whole system of which it forms a part, is in nowise calculated to promote the harmony and union of the people. It is a natural emanation from the fountain of a principle divided itself, and the source of all fatal division—a principle which pronounces one class of the citizens of this union, to the disparagement of all others, the best part of the population.

The subscribers disclaim all communion of sentiment with this opinion, to which they can assent as true in no sense whatever. They deny that there is any sense in which language can give utterance; and in which the *cultivators of the soil*, be they who they may, included under the denomination, can, with truth, be called the best part of the population. They believe, on the contrary, with the greatest orator, statesman and patriot of ancient Rome, and with the sublimest genius of ancient Greece, with Cicero and with Plato, that "whosoever gives preference to one part of the citizens, and neglects another part, introduces into the community the elements of the most pernicious discord and sedition. It necessarily produces rival factions, some favoring the populace, and some favoring THE BEST, and leaving scarcely any favorers of ALL." This was the patriotism of Cicero; this was the philosophy of Plato, two thousand years and upwards before the Declaration of Independence. The doctrine is founded upon eternal truth. It is the only doctrine upon which governments of equal rights can be founded; as that which divides the population into a best and a worst part is the never failing source of tyranny and oppression, of civil strife, the shedding of brother's blood, and the total extinction of freedom.

The subscribers hope and trust, therefore, that congress will not abdicate by nonuser, the power delegated to them by the constitution of the United States, of making appropriations of public money to great national objects of internal improvements. They consider the exercise of the power as essential to the welfare and prosperity of the whole people; they believe it to have been delegated for the purpose of promoting that welfare; and that to refrain from the exercise of the power would be a dereliction of duty in congress itself, and treachery to the trust committed to them by the people. They further believe that the people of this union never will submit to a permanent abandonment of the principle, hitherto so successfully and so advantageously to them carried into practice, of making such appropriations: that however it may be suspended for a time, under a theory of partial preference to an imaginary *best part of the population*, it will never be extinguished but with the lifeblood of the union itself. For what is the final result of this doctrine of abdicating powers arbitrarily designated as doubtful? What but the degradation and impotence of the nation itself?—the degradation of chaining its own hands? of fettering its own feet? of disabling itself from bettering its own condition? The impotence of inability to employ its own faculties for its own improvement. It is the principle upon which the roving Tartar denies himself a permanent habitation, because to him the wandering shepherd is the best part of the population; the principle upon which the savage of the American forest refuses to till the ground, because to him the hunter of the woods is the best part of the population. Imperfect civilization in all stages of human society shackles itself with fanatical prejudices of exclusive favor to its own occupations, as the owner of a plantation with a hundred slaves believes the summit of human virtue to be attained only by independent farmers, cultivators of the soil. Not by such opinions or such maxims of government were the people of the United States animated and inspired, when, "in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, they did ordain and establish the constitution of the United States of America." Their purpose, in this great and solemn *mutual covenant*, was their own improvement—the improvement of the condition of the whole. The constitution itself is but one great organized engine of improvement, physical, moral, political. It directed the assemblage, from time to time, of chosen bodies of men, vested with limited powers, to consult, to deliberate, and to act upon all the great interests of peace and war, common to the people. It was no compact of separate and distinct bodies politic. The separate states were not competent to form any such compact, or to confer any such powers; the people of each state were competent to form, and did form, constitutions for themselves; but their sphere of action to ordain and establish was limited within their own boundaries. For where did the state, the creature of the sovereign people of Massachusetts, where did, or where could, that state acquire the right of bestowing upon the people of Pennsylvania a right of representation in this house? As well might the *state* of Massachusetts have undertaken to ordain and establish who should be represented in the parliament of Great Britain, or in the chamber of deputies of France. The whole people of the United States were alone competent to determine and to ordain how, and in what manner, they and their posterity should be represented in this assembly; and as well might it be contended that the state of Ohio, which had no existence, or the state of Louisiana, which was a Spanish colony, were parties to the constitution of the United States at its formation, as that the parties to it were the thirteen states of which the old lifeless confederation had been composed. The constitution was, as it is on its face declared to be, the act of the whole people, and it is the instrument by which they organized the means of effecting the improvements of their own condition, by the agency of their government. In refraining from the exercise of the powers delegated to them for the good of the whole, the government not only abdicate their own power, but effectively disable that of the nation itself. The energy which slumbers in their hands, is no better than dead to the good of the people; it arrests the hand of divine beneficence itself; degrades the nation to a level of inferiority among the families of mankind, and proclaims as the fundamental law of their association their inability to apply their own faculties to their own elevation in the scale of being.

It is then, with sentiments of deep mortification and of unqualified dissent, that the subscribers have observed the earnest recommendations to congress in the message, to abandon the whole system of appropriations for internal improvements, which has hitherto been pursued; which was in the full tide of successful experiment, and which, for a long series of years, has been contributing to increase the comforts, to multiply the enjoyments, and to consolidate the strength and happiness of the American people. To abandon them all, for in no other light can they consider the extraordinary, though vague and indefinite commendations of *simplicity*, as the suitable characteristic for the government of a nation of swarming millions of human beings—the intensely urgent exhortations to congress to refrain from the exercise of all beneficent powers, which one-twentieth part of the people may carp and cavil at as doubtful—the incomprehensible argument that harmony and union are to be promoted by stifling the firm and manly voice of nineteen-twentieths of our constituents, to satisfy the brainsick doubts, or appease the menacing clamors of less than one-twentieth—and finally the direct recommendation to congress, to dispose of all stocks now held by the general government in corporations, whether created by the general or state governments, and to place the proceeds in the treasury.

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In these recommendations, and in the spirit with which they are pressed upon the consideration of congress, the subscribers can discern nothing less than a proposed revolution of government in this union—a *revolution*, the avowed purpose of which is, to *reduce* the general government to a simple machine. A simple machine? The universe in which we daily revolve, and which seems to our vision daily to revolve round us, is a simple machine under the guidance of an Omnipotent hand. The president of the United States, *one* of the functionaries provided by the constitution for the ordinary management of the affairs of the government, but not entrusted even with the power of *action*, upon any proposed alteration or amendment to the constitution, undertakes to *reduce* the general government to a simple machine—the simplicity of which shall consist of universal beneficence, in preserving peace, affording a uniform currency, maintaining the inviolability of contracts, diffusing intelligence, and discharging, *unfelt*, its other (nameless, unenumerated, and undefined) superintending functions. Truly this *simplicity* may be aptly compared with that of the government of the universe; needing only an Omnipotent hand to guide and regulate its movements, and differing from it, as would seem, only in the self denial of all power to improve the condition, or promote the general welfare of the community, by and for whom this simple machine was ordained. To the subscribers, it appears that of all the attributes of government among men, simplicity is the last that deserves commendation. The simplest of all governments is an absolute despotism, and it may confidently be affirmed, that, in proportion as a government approaches to simplicity, will always be its approaches to arbitrary power. It is by the complication of government alone, that the freedom of mankind can be secured; simplicity is the essential characteristic in the condition of all slavery; and if the people of these United States enjoy a greater share of liberty than any other nation upon earth, it is because, of all the governments upon earth, theirs is the most complicated. The simplicity to which the recommendations of the message would reduce the machine of government, is a simplicity of impotence; an abdication of the power to do good; a divestment of all power in this confederated people to improve their own condition.

In the recommendations of the message, relating to the disposal of the public lands, the subscribers perceive the same speculative aversion to control, which seeks to reduce the government to a simple machine, the same preference of one class of citizens—the independent farmers, cultivators of the soil—over all other members of the community. The recommendations of the message are, "that the public lands shall cease, as soon as practicable, to be a source of revenue—that they be sold to settlers, in limited parcels, at a price barely sufficient to reimburse to the United States the expenses of the present system, and the cost arising under our Indian compacts; and that, in *convenient time*, the machinery of accurate surveys and undoubted titles be withdrawn from the states, and the right of soil, and the future disposition of it, be surrendered to the states respectively in which it lies."

The proposition is to give away all the public lands—first, to enable individual adventurers to secure an independent freehold, because cultivators of the soil are the *best* part of the population; and finally to surrender all the remainder to the states in which the lands are situated, because "it cannot be expected that the new states will remain longer contented with the present policy, after the payment of the public debt."

The public lands are the property of the whole people of the United States; they are the national domain. To give them away to individual adventurers, is to take away the property of one portion of the citizens, and bestow it upon another; and, as if this outrage upon the right of property were not sufficient without the superaddition of insult, the plundered portion of the community are told that those on whom their lands are lavished, are the *best part of the population*. It is said in the message that "the proceeds arising from the sale of the lands are distributed chiefly among states which had not originally any claim to them." Were this assertion true, what possible bearing can the places where the proceeds of the sale of property are distributed, have upon the right of the proprietor to the proceeds of the sale. The proceeds of the sales of public lands are not distributed in gratuities. What is meant by the assertion that they are distributed among states? They are not distributed among states at all. What is meant by "states which had not originally any claim to them?" What state had originally any claim to the public lands in Louisiana or Florida? What portion of the public lands is there to which the whole union, and of course every state in the union, had not originally *a claim*? From the very formation of the confederation, all the states, within which not an inch of public land existed, had *a claim* to their just proportion of the public lands situated within the boundaries of the other states—and that claim was just; in deference to the justice of that claim, all the cessions of public lands were made by the states in which they were situated; and without those cessions, the confederation never would have been formed. The right of the whole people, therefore, to all the public lands, is a perfect right, independent, totally independent, of all consideration of the localities where the proceeds of the sales of them may be distributed, and for the enjoyment of which, as a right founded in the first elements of human society, the states wherein the lands are situated have no more right to be discontented than the tenant of a dwelling house belonging to another has the right to be discontented that the fee of the possession is in his landlord and not in himself.

This right of property is, however, not wholly unqualified. The cessions of territory made to the United States by the states of New York, Virginia, Massachusetts, Connecticut, South Carolina and Georgia, were all conditional; and the common condition of all the grants was, that the lands by them respectively ceded should be held and disposed of for the use and benefit of all the United States, the ceding state included, and for no other use whatsoever. Upon this condition, all the cessions were accepted by the United States in congress assembled, and the United States thereby contracted the solemn and positive *engagement* to hold and dispose of all the lands thus ceded conformably to that condition, and to no other use whatever.

The constitution of the United States, in the third section of the fourth article, declares that "congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States;" with the express addition that "nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state." And in the sixth article, it provides "that all debts contracted and *engagements entered into*, before the adoption of this constitution, shall be as valid against the United States under this constitution as under the confederation."

It appears to the subscribers, that congress could neither give away the public lands to individual settlers, to enable them to acquire independent freeholds, nor surrender them to the states in which they are situated, without a threefold violation of the constitution; first, by abdicating the power entrusted to them of disposing of the territory of the United States, conformably to the conditions under which it is held, and of making all needful rules and regulations respecting it; secondly, by prejudicing the just and undoubted claims, both of the United States, and of every particular state within which there are no public lands; and, thirdly, by trampling under foot solemn engagements entered into before the adoption of the constitution. In the list of powers to be exercised by congress, when the government shall be reduced to the simple machine, avowed to be the purpose of the president by the recommendations of the message, this power of disposing of, and making needful rules and regulations for the territory and other property of the United States, is entirely overlooked; very consistently, indeed; for if the whole property should be squandered away to make independent freeholders, or surrendered to the states wherein the common possession happens to be located, there will be no longer any territory belonging to the United States to dispose of, or needing rules and regulations to be prescribed by congress. The government will be made a much simpler machine; but it will be a simplicity purchased with all the wealth, all the rights, and all the good faith of the nation—purchased by prejudicing the claims of the United States, and of every state other than those in which the lands are situated—purchased by setting at nought the first principle of justice, the sacred rights of property, and the explicit engagements not only entered into before the adoption of the constitution, but pledges of faith, without which the confederation itself never would have been sanctioned.

The same principles are applicable to the public lands situated within the states, formed from the territories included in the purchase of Louisiana, and in the Floridas. These are lands not only belonging to the United States, but purchased with monies from their common treasury. Upon the principles recommended in the message, the whole mass, of them may be given away to foreigners, to emigrants from every quarter of the globe, aliens and perhaps enemies to this country, who may thus be converted into independent freeholders, and constitute, under this improved code of morals, the best part of the population. The subscribers deem it an excellent part of the policy of the union to welcome the useful industry of foreign freemen seeking the enjoyment of liberty and equal rights and honest subsistence, and the chances of affluence upon our shores; but they conceive it neither politic nor just to bestow upon them, or upon any adventurers, whether of foreign or of domestic birth, the acquisitions of the nation, made with the monies levied upon all the people in all the states.

Congress are told in the message that it cannot be expected that the new states will "remain longer contented with the present policy, after the payment of the public debt." By the present policy is here meant the policy of holding and disposing of the public lands as public property. The proposal is, therefore, to change the present policy, for that of giving away this public property, partly to individual adventurers, and the remainder to the "new states"—one of which is the state of Tennessee. And what are the arguments by which this change of policy, or, in other words, this surrender of property, is urged? It is said that "the adventurous and hardy population of the west, besides contributing their equal share of taxation under our impost system, have, in the progress of our government, for the lands they occupy, paid into the treasury a large proportion of forty millions of dollars; and, of the revenue received therefrom, but a small part has been expended amongst them." Is this a reason for giving away to new adventurers, or to new states, the property belonging to the adventurous and hardy population of the west, in common with the adventurous and hardy population of all the rest of the union? To the epithets of adventurous and hardy, applied to the population of the west, the subscribers take no exception, as descriptive of qualities truly belonging to that class of our fellow citizens:

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that population went forth from the old and long settled states, from the thirteen confederates of the revolution, and left behind them a population not less adventurous and hardy than themselves. If the population of the west have contributed their equal share of taxation under our impost system, so have the population of all the rest of the union. If, in the progress of the government, they have paid into the treasury a large portion of forty millions of dollars *for the lands they occupy*, they have received, in the *property* of those lands transferred to them by the nation, the value to them of many hundred millions of dollars as an equivalent. That a small part of the revenue received from the proceeds of the public lands has been expended amongst them, if estimated in proportion to the relative amount of revenue collected amongst them, may be doubted; but the subscribers believe that justice and policy would alike dictate a larger expenditure of the revenue amongst the population of the west, than has yet been authorised. It is in the western country that the greatest, the most useful and the most expensive works of internal improvement have been undertaken, or are most urgently needed. To such works, unquestionably of a national character, the subscribers believe that a full and ample proportion of the public revenue, whether collected from the sales of public lands or from other sources, ought to be applied, and the monies so appropriated would be almost exclusively expended among the population of the west. It is in this manner that, without doing injustice to any other part of the union, the proceeds of the sales of the public lands may be applied to the special improvement of the western country; that they may be, beneficially to all, expended among the settlers of the public lands themselves, and, while contributing to the improvement of the whole union, facilitate and encourage the progress of the new settlements, by furnishing, at once, occupation for industry, reward for labor, and the rapid appreciation of the lands upon which the settlers may fix their abode. Such, the subscribers believe, are the dictates of a policy, at once prudent and magnanimous: but this policy cannot be promoted by arresting the progress of works already commenced; by refusing appropriations for works demonstrated to be of a national character; or by giving away to single adventurers, or to the new states, the whole invaluable fund, inexhaustible, if duly managed, for long centuries to come, of lands purchased by the blood of our revolutionary fathers, and by their treasures or our own.

In this examination of the proposal to *give away* all the public lands of the union, the subscribers have deemed it their indispensable duty, though a painful one it has been, to resort to the first principles of natural justice, to the sacred right of property, and to the positive injunctions of the constitution, to prove that it is alike subversive of them all. The project itself is not new: the subscribers are unwilling either to trace its origin, or to scan the motives and purposes from which it proceeded. But never before have they witnessed—never again, they will hope, may it be seen seriously recommended in a message from the president to the congress of the United States. The public lands are the property of the union; the possession, the use, and the disposal of them, for the benefit of the whole, are guarantied by the elementary principle at the foundation of civil society, by the immutable laws of justice, and by the express terms of the constitution, which we have all sworn to support. The power to give them away has not only never been delegated to congress; it has been, by direct implication, prohibited. The attempt to give them away, by an act of congress, would be an act of transcendent usurpation, null and void in itself, and substituting arbitrary power in the place of constitutional right. The attempt to carry it into effect would be a dissolution of the union—an inextinguishable brand of civil war. This the subscribers do with the profoundest conviction believe; this they cannot, without violating the trust reposed in them by their constituents, refrain from declaring. They solemnly deprecate the contingency that such a proposal should ever again be made.

Congenial with it, and apparently flowing from the same erroneous and partial fundamental principle of government, that the wealthy land-holders are the best part of the population, the subscribers are constrained to consider all the recommendations of the message in relation to the manufacturing interest of the country. The spirit of the message looks steadily, though with occasional blenching, to that interest, as *a victim to be sacrificed*. The approaches to the altar are not always direct, but the instrument of death is never sheathed, and the grasp with which it is held is ever intent to strike the blow. As in the principle of limitation to the congressional power of appropriating money for internal improvement, so, in the restriction of that which may be exercised for the protection of domestic industry, care is taken to commence with a general axiom, which the friends of the manufacturing interest themselves will readily admit. That the revenue of the national government should be adapted to their expenditures, and that the expenditures should be strictly limited within the sphere of objects warranted by the constitution, and regulated by a severe and vigilant economy, the most ardent friends of the manufactures will cheerfully allow. Nor would they deny "that the protection afforded by existing laws to any branches of the national industry should *not exceed* what may be necessary to counteract the regulations of foreign nations, and to secure a supply of those articles of manufacture essential to the national independence and safety in time of war." If the enunciation of the principle of legitimate protection in these terms discloses a mind in search of reasons for withdrawing the protection secured by existing laws, it is rather in the disposition thus evinced, than in the abstract proposition with which it is clothed, that the manufacturing interest may discern the determined hostility with which it is assailed. The manufacturer asks for no protection beyond that which may be necessary to counteract the regulations of foreign nations, and to secure a supply of the articles essential to the national safety in time of war. But this protection has been extended to the manufacturing establishments by the existing laws. It has been extended to them, not as a favor to that separate interest, for no such favor has ever been indulged in the legislation of the union, but for the purpose of counteracting the injury of foreign regulations, and for the purpose of securing the supply of articles essential to the national safety in war. The manufacturers of the old and long settled states have been protected from the injurious regulations of foreign nations, as the planters of the south and the settlers of the west have been protected from the depredations and hostile incursions of Indian savages. Nearly the whole charge of the military peace establishment is borne by the nation for the protection of the south and of the west. Of the millions upon millions expended, ever since the existence of the government, upon Indian wars and negotiations, the manufacturer of Pennsylvania, of New Jersey and of Massachusetts, has paid, and continues to pay, his full proportion. And what is Indian war or Indian negotiation to him? The whole naval establishment of the union is maintaind to *protect* the immediate interest of the commercial part of the community. The manufacturer, the farmer, the planter, have no direct interest in this; they all pay taxes to protect from foreign hostility the property of the merchant and the person of the navigator. The war last waged with Great Britain, and which cost the nation upwards of a hundred millions of dollars, and perhaps fifty thousand lives, for what was it proclaimed but for wrongs to the merchant and the mariner, in which the manufacturer and the farmer, as distinct classes of society, had not one dollar of interest, yet for the maintenance of which they bore their equal portion of taxation, and devoted their equal portion of lives? The manufacturer of the interior has the same right to the protection of the whole union against the regulations of foreign countries, as the merchant upon the coast, or the mariner upon the ocean. The manufacturer of the north has the same right to the protection of the nation against the competition of foreign rivals, armed with foreign laws, as the planter of the south, or the settler in the west, has to the same protection against the robberies and butcheries of Indian savages, instigated by the secret impulses and profuse subsidies of the same foreign rivals. The manufacturer asks no more. The principle in the message now under examination is in terms equally applicable to *all* branches of the national industry. The protection afforded by existing laws to the southern planter and the western settler, to the merchant and navigator, should *not exceed* what may be necessary to counteract foreign hostility, and secure the national independence and safety. If the separate and exclusive interest of the manufacturer or of the northern farmer were consulted, the army might be disbanded; the wooden walls of the navy might be laid up in ordinary, and its gallant seamen be discharged from the service. Six or seven annual millions more of expenditure might be retrenched, and the government be reduced to a machine of still more edifying simplicity—so simple, indeed, as to be left without occupation worthy of the cost of its own maintenance, and bound, in the pursuit of its own policy, to dissolve itself as a useless and cumbersome burden to the nation.

But the practical question of the message is not, what degree of protection ought to be *extended* to any branch of the national industry, but what degree of protection, by the existing laws, it ought *not to exceed*. And the principle is thus laid down by way of introduction, to a recommendation that the *protection* actually granted by the existing laws to a particular interest, namely, that of the manufactures should be gradually diminished—if, upon investigation, it shall be found, *as it is believed it will be*, that the legislative protection granted to that interest is greater than is *indispensably* requisite for these objects, that is, for counteracting the regulations of foreign nations, and for securing a supply of those articles of manufacture essential to the national independence and safety in time of war.

To this inquiry and investigation the subscribers would interpose no objection whatever, provided that the same investigation shall be instituted to ascertain whether the protection granted by existing laws to other great though partial interests, namely, to the southern planter and western settler, to the merchant and the mariner, do not exceed what may be indispensably requisite for counteracting the regulations of foreign nations, and for securing the independence and safety of the nation. The investigation, to be just and impartial, must extend equally to all the interests *protected* by the expenditure of the national revenues; and if the standard of inquiry shall be the smallest possible amount of *protection* indispensable to the manufactures, let the same standard, the smallest possible amount indispensable to the planter and the settler, the merchant and mariner, be applied to the estimates of expenditure to be hereafter bestowed upon them.

But the subscribers cannot forbear to call the attention of the house, and of the nation, to the formal abandonment, in the message, of the very principle of just and lawful protection to the manufacturing interest laid down by itself. Scarcely has the circle of limitation been drawn round the unquestionable

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duty of the government to protect the manufactures by its laws, when, by a most remarkable instance of self contradiction, the message abandons its own principle, and substitutes another and a totally different one in its stead. "Those (it now says), who take an enlarged view of the condition of our country, must be satisfied that the policy of protection must be ultimately limited to those articles of domestic manufacture which are indispensable to our safety in time of war." The subscribers will not scrutinize, with logical acuteness, the further limitations, even of this measure, which may be detected in the subsequent qualifications of this diminished standard; nor inquire how the indefiniteness of a "reasonable scale and of a liberal support" can be applied to a list of articles *indispensable* to the safety of the nation. Articles indispensable to the safety of a nation would seem to admit of little latitude in the formation of their catalogue; nor can much commendation be due to the liberality which provides for its own indispensable necessities—but it is to the principle itself that the subscribers deem it their duty to take exception, as utterly inconsistent with that which had been just before laid down; as abandoning the future interests of domestic industry to the mercy of foreign legislation, leagued with foreign competition; and, finally, as consigning all the great manufacturing establishments of the country to speedy and inevitable destruction.

In this last proposition, as in the recommendation to give away all the public lands, the house and the country cannot fail to discern a projected revolution of government. When the very first act of congress, after the organization of the new government, that appears upon the statute book of the United States, declared the necessity that duties should be laid on goods, wares and merchandises imported, the purposes to be accomplished by that act were declared to be the support of government, the discharge of the debts of the United States, and *the encouragement and protection of manufactures*. Thus, from the very foundation of this government—from the day when George Washington was first inaugurated as president of the United States, the *protection*, ay, and the *encouragement*, of manufactures has formed one of the fundamental objects of the national policy. But here, in the compass of one short page of this message, we are told, *first*, that the *protection* afforded by *existing laws* to *any* branches of the national industry, should not exceed what may be necessary to counteract the regulations of foreign nations, and to secure a supply of those articles of manufacture essential to the national independence and safety in time of war. This, we are told, is, in justice, due in effecting the adjustment of the future revenue to the interest of the different states, and even the preservation of the union itself: And, in the next breath, we are told that the policy of protection must be ultimately limited to those articles of domestic manufacture which are indispensable to our safety in time of war. The principle of affording *encouragement* to manufactures, proclaimed in the first act of the first congress, is discarded. The protection to be gradually diminished is the protection of existing laws. The revenue is to be reduced, not merely for adaptation to the necessities of the public expenditures, but with the express object and design of *discouragement* to manufactures, by diminishing the protection which they enjoy; nor is this discouragement to cease, till all the protection which now shields them from the deadly hostility of foreign competitors, dictating the death warrants of foreign legislation, shall be withdrawn, and the niggardly boon of protection shall be denied to all but articles of indispensable necessity to safety in time of war.

It is, therefore, a revolution in the government which the message now proposes. It is the adoption for the future of a system of policy directly opposite to that with which the administration of Washington laid the foundations of the social existence of this great community—our national and federal union. Those foundations were, that *all* the great interests of the nation were *alike* entitled to defence and protection by the national arm, and from the national purse. And to the interest of manufactures was the first pledge of encouragement and protection self imposed by the good faith of the nation. That pledge is now, by the recommendations of this message, to be withdrawn. The government is to be reduced to a simple machine, and its operations of superintending beneficence are to be *unfelt*. The great body of the manufacturers, including the numerous classes of mechanics, handicraftsmen, and artificers, and with them great multitudes of cultivators of the soil, though not that best part of the population, the independent freeholders, all the hard-working men, in short, the *laboring* part of the exclusively free population of the country, are to be turned out of the paternal mansion, cast off as worthless children of the common parent, and surrendered to the mercy of foreign laws, enacted for the express purpose of feeding foreign mouths with the bread denied by our simplified machine of government to them.

Under that system of policy, thus now proposed to be abandoned and proscribed, the nation has risen from a depth of weakness, imbecility and distress, to an eminence of prosperity unexampled in the annals of the world. It has flourished in despite of all foreign competition, and all foreign legislation, whether in peace or at war. It has flourished by the undeviating pursuit of that very policy, which we are now urged to abandon and to proscribe. It was by counter legislation to the regulations of foreign nations, that the first operations of the government of the United States were *felt* by their people: *felt*, in the activity given to their commerce—*felt*, in the encouragement and protection extended to their manufactures—felt, in the fulfilment of the public engagements to the creditors of the nation—felt, in the gradual, though the subscribers grieve to say yet imperfect, discharge of the debt of justice and of gratitude due to the warriors of the revolution—felt, in the rapid increase of our population, in the constantly and profitably occupied industry of the people, in the consideration and respect of foreign nations for our character—in the comfort, and well being, and happiness of the community—felt, in every nerve and sinew, in every vein and artery of the body politic. That for this government the proposition should now be earnestly pressed upon congress to substitute another, the supreme excellence of which shall consist in its being *unfelt*, when we look to the source from which the exhortation proceeds, cannot but move our special wonder. The subscribers can have no partiality for a government, founded upon the consideration that the benefit of its operations shall be unfelt.

From the great manufacturing interest of this country, then, and from all the interests, whether agricultural or commercial, indissolubly linked with it, the protection of the national laws, now existing, is so far as they are or may be affected by foreign regulations, by the recommendations of the message, to be gradually withdrawn: and protection is hereafter to be limited to one specific class of articles of manufactures, under the denomination of articles indispensable to the safety of the nation in time of war. The subscribers ask, what is the reason for this distinction; and what are the articles thus to be distinguished with pre-eminent and permanent favor? Why is protection, why is this specific mode of protection, by high and prohibitory duties, upon the article when imported from abroad, to be extended to articles indispensable to the national safety in time of war, when it is at the same time to be denied to all others? The protection of high duties is founded upon the principle of shielding the domestic manufacturer from the ruinous competition of foreigners, producers of the same article. This principle is founded, not upon the nature or uses of the article, but upon the *right of* the citizen to protection, pledged to him by the social compact, the correlative obligation of his country to him, for his duty and obligation of allegiance to her. Why is the planter of the south, and the new settler of the west, entitled to the protection of the nation, at the cost of many annual millions, to maintain an army to make that protection effective? Why, but because that planter and that settler are bound in allegiance to that country whose protection they are thereby entitled to claim? Why are the merchant, the mariner, the fisherman, entitled to protection, and why is a navy maintained at the cost of annual millions to make that protection effective? Because the merchant, the mariner, the fisherman, owe their allegiance to the country which protects them. This protection is due to them in peace as well as in war: else why do you maintain an army and a navy in time of peace? The manufacturer is entitled to the same protection from his country as the planter, as the new settler, as the merchant, as the mariner, as the fisherman, and for the same reason—because he owes to that country his allegiance. He bears his portion of the burden of expenditures, sustained by the nation to maintain an army and a navy for the protection of interests which are not his. He has a *right* to claim the same protection to his own. It is the *right of the citizen*, and not the necessities of the community, which constitutes the fundamental principle, upon which the obligation to protect the interest of the manufacturer, or of any other member of society, is incumbent upon the nation. The subscribers believe, therefore, that the distinction between articles of manufacture indispensable to the safety of the nation in time of war, and other articles, cannot in any manner affect the right of the manufacturer to protection, or the duty of the government to extend it. It is the interest of the citizen, and not the wants of the country, which circumscribes the legitimate objects of protection. In the formation of the social compact, undoubtedly the safety and independence of the whole are the ultimate object of every engagement undertaken by the community to protect the interests of every one of its parts; but that safety and independence are to be secured as much by the protection of interests, contributing to her well being in time of peace, as by that of securing to herself a supply of the instruments of death, necessary for a battle or a siege.

But were the distinction assumed in the message, of discriminating between articles of manufacture, indispensable to the safety of the nation in time of war, and other articles, with reference to the respective rights of each of the classes to temporary or permanent protection, just, why is this specific mode of protection, high duties upon the imported article, recommended? If the object to be attained is to secure an abundant supply of the articles, the policy of the government would seem to be, rather to admit them free of impost, and even to encourage the importation of them by bounties than to burden them with onerous duties. The articles of most indispensable necessity in time of war, are articles of little or no use in time of peace. The policy of erecting and supporting manufactures of them in time of peace, that is, at a time when, from their very nature and from the slender demand for them, they must be obtainable from abroad upon the cheapest terms, and when you have little or no demand or use for the articles which you thus deliberately make costly to you beyond all necessity or reason, seems to be exceedingly questionable. You saddle with burdensome taxation articles which you might obtain almost gratuitously from abroad; you tax yourselves to pay enormously dear for articles which you compel yourselves to buy, which you do not want,



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and for which you have no use, because the time may come when you will want them; and then you choose to have them made by your own citizen, and by no foreigner—when the very tax that you impose, would supply you from abroad with stores of the articles sufficient for a ten years' war, at less cost than you now lavish upon your manufacturer to furnish you the same supply. Again, it may very reasonably be questioned, whether in the present or in any possible future condition of this country, and of the rest of the world, any article of domestic manufacture whatever can be essential to the independence or safety of the nation in the sense that it must necessarily be manufactured within the country, and not imported from abroad. Assume the broad principle that the independence and safety of a nation are highly promoted and rendered effective by her possessing within herself all the resources essential to the subsistence, the comfort, and the enjoyments of her people in war and in peace, and the subscribers give to it their hearty assent—and from this principle they derive the firm belief that sound policy requires of the nation the constant perpetual *protection* of the manufacturing interest generally, as the duties of the social compact impose the same protection upon her, as a duty to the citizen manufacturer. Narrow down your protective system to a mere list of contraband of war, and you not only load the nation with burdens, utterly useless to herself when she bears them, inadequate to your purpose in the very contingency for which you would provide, but you put to the ban a vast multitude of the free laborers of the country, and involve yourselves in the inextricable absurdity of holding the nation bound to foster and encourage the arts of war, and to prostrate and sacrifice the arts of peace.

The subscribers are then convinced that the principle broadly laid down in the message, "that the policy of protection must be ultimately limited to those articles of domestic manufacture which are indispensable to our safety in time of war," is erroneous and unsound. They remark that this is the first time that such a policy has ever been suggested by any chief of the executive government to congress, from the establishment of the constitution to this day, and that it is proposed avowedly to subvert the system of policy which has hitherto invariably prevailed. Alarmed at the violation of rights and at the desolation of property which it portends in a special manner to the great mass of their constituents, they seek in the message itself the arguments by which this novel plan of government is attempted to be sustained. They are aware that it flows very naturally and directly from the fundamental maxim, that the wealthy land-holders, cultivators of the soil, are the best part of the population. That it is entirely congenial to the determined purpose of abolishing the national bank. That it tallies exactly with the proposal to give away all the public lands, to multiply the best part of the population. That it is in perfect coincidence with the proposal to abandon *gradually* all appropriations for internal improvements, to sell all the stocks held by the government in the funds of incorporated companies, and *then* to reduce the duties of impost to a simple, economical revenue standard.

"All are but parts of one stupendous whole."

And, in carrying out this system to its inevitable consequences, it is apparent that, when all this shall have been done, the same spirit of simplicity and reform will command that the army should be disbanded, because its only use is to protect one portion of the community at the expense of all the rest; that the navy should be gradually diminished, and ultimately abolished; because the degree of protection which it extends to the commerce and navigation of the country, may exceed what shall be indispensably necessary to counteract the regulations of foreign powers; and, finally, that the government of the union, simplified into a machine of total uselessness and inability to protect any great interest of the nation, should dissolve itself into its original elements, and vanish—the baseless fabric of a vision.

The subscribers believe that to secure to the nation during war, a supply of *all* the articles necessary to the subsistence, comfort, and well being of the people, is *one* of the objects which require and command the protection of manufactures generally, as one of the great duties of the nation itself. But to limit the policy of protection to the *articles of domestic manufacture* indispensable to our safety in time of war, is tantamount to the denial of all protection to every article, excepting those the want of which and the uses of which are applicable only to the state of war. Food and raiment are articles indispensable to the safety of a nation in war as well as in peace. If it were meant that all articles of domestic manufacture, serving for food or raiment, should be entitled to the permanent and ultimate protection of the national government, the limitation itself presented by the message would be nugatory. With that understanding all the manufactures of woollen and of cotton would have an equal claim to permanent protection with those of iron, lead, or copper. The necessities of the nation in time of war furnish an unanswerable argument for the protection of its manufactures—of all its manufactures in time of peace. This is the sound principle. The attempt to draw a line of distinction between articles indispensable to our safety in time of war, and all other articles, with a view to confer the exclusive privilege of permanent protection upon the former, and to withdraw all protection from the latter, must be utterly deceptive, and, if carried out into practice, could terminate only in gross injustice.

In the report of the committee of ways and means, which accompanied their bill to reduce and otherwise alter the duties on imports, it is said that they have endeavored to arrange the duties with reference to the principle of raising twelve millions and a half of revenue upon from sixty-five to seventy millions of dutiable commodities, at rates of from ten to twenty per cent. varying from them chiefly in those instances where national independence in time of war seemed to demand some sacrifice in peace, (as in the case of iron.) Thus iron is the only article specified by the committee of ways and means as entitled to extraordinary and permanent protection, by heavy duties of impost, to defend the article of domestic production from the competition of importation from abroad—and the exemplification in their bill is, to shield the article of iron, by duties five or six times heavier than the fragment of impost to which they abandon the articles of wool, woollens, and cotton fabrics. But this favoritism extended to the article of iron, is founded upon a misapplication of the principle upon which it professes to rely. The only reason which makes it an object of importance to the nation, to possess within itself a supply of articles of exclusive use and necessity in times and for purposes of war, is because the supply of those articles from abroad, in time of war, may be cut off or greatly obstructed by the power of the enemy. Of all other articles, the supply may be as abundant from abroad in time of war, by the conveyance of neutral flags, as in time of peace. The articles usually denominated contraband of war, may be intercepted by the enemy, and cannot be protected by the neutral flag. The list of these articles of contraband is usually regulated by treaties. The number of them, as recognized by the customary law of nations, independent of treaty stipulations, is very unsettled. Great Britain, being almost always a belligerent nation, and possessed of preponderating power upon the ocean, has, in latter times, constantly struggled to enlarge the list, by including in it not merely the fabricated instruments of warlike destruction, such as cannon, muskets, swords, pikes, bombs, grenades, and the like, but provisions, and the materials especially for ship building. All the other maritime nations, on their part, endeavor to contract the list of contraband, and confine it to articles actually wrought and manufactured, and used only and exclusively for war. We have had treaties both with France and Great Britain, each containing a list of articles to be understood between the parties as contraband of war. The treaties with France contain the most contracted, and the treaty of 19th November, 1794, with Great Britain, the largest list of contraband that has ever been claimed by modern belligerent nations; and it so happens that, in both these treaties, unwrought iron is expressly excluded from the list of contraband. No nation has ever pretended that it was or should be included in that list. The supply of it from abroad cannot, therefore, be intercepted by the enemy in time of war, and there is no reason whatever for protecting by high duties the domestic production of it against the foreign competitor, other than the reason common to all other articles or productions of domestic industry. It stands upon the same footing with all the rest, and has no claim whatever to superior protection, from its being merely the principal material from which the instruments of death are composed. It is, therefore, extreme injustice to all other articles of domestic growth or manufacture, to withdraw from them their just share of protection, to heap it upon the solitary article of iron.

The subscribers, therefore, believe that the principle itself advanced in the message, and illustrated by the recommendation gradually to withdraw from the manufactures of the country all the protection which they enjoy by the existing laws of the United States, with the single exception of the articles indispensably necessary for the national independence and safety in time of war, is incorrect, unjust and unconstitutional. They believe that protection, permanent protection to the interest of domestic industry, including agriculture, manufactures, and the mechanic arts, is a right secured to the citizens whose property and subsistence depend upon that protection, *by the constitution itself, as well as by the laws;* that the withdrawal from them of that protection, would be the denial to them of a constitutional right, and equivalent to a sentence of banishment upon them. In saying this, the subscribers do not deny the right of the government to modify this protection by an adjustment of the revenue to the necessary public expenditures. They object neither to the reduction of the revenue, nor to the reduction of duties of imposts; both these operations may be effected without impairing the protection enjoyed by domestic industry, and they are precisely the operations which it is at this time the duty of the government of the United States to perform.

The recommendation of the message, gradually to withdraw from the manufactures the protection which they enjoy by existing laws, appears to the subscribers the more exceptionable, as it obviously countenances the principles asserted, as well as the attitude assumed of hostility to the manufacturing interest, and of defiance to the government of the union, under the shield of state sovereignty, by popular commotion in one of the members of the union. Before the message was delivered, a convention, assuming to represent the people of South Carolina, and to exercise, in their name, an absolute, unlimited, and, therefore, despotic power of sovereignty, had issued an ordinance, declaring and *ordaining* that all the several acts and parts of acts of the congress of the United States, for imposing duties and imposts on the importation of foreign commodities, *and now having actual operation and effect within the United States*, were null, void, and no law, nor binding upon the state of South Carolina, its officers or citizens.

And the same convention, by the same ordinance, had ordained that all promises, *contracts*, and obligations, made or entered

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into, or to be made or entered into, with purpose to secure the duties imposed by the said acts, and all judicial proceedings which should be thereafter had in affirmance thereof, were, and should be, held utterly null and void.

The same convention had further ordained that it should not be lawful for any of the constituted authorities, whether of the state of South Carolina, or of the United States, to enforce the payment of duties imposed by the said acts of congress within the limits of that state; that it should be the duty of the legislature to adopt such measures, and pass such acts, as might be necessary to *prevent the enforcement, and arrest the operation* of the said acts, and parts of acts, of the congress of the United States, within the limits of that state, from and after the first day of February then next.

The same convention had further ordained that all the officers of the state, civil or military, except members of the legislature, should take an oath to obey, execute, and enforce the said ordinance, and such act or acts of the legislature as *might* be passed in pursuance thereof; that the offices of every individual who should omit or neglect to take this oath, should be, thereby, *ipso facto*, vacated; and that no juror should be empannelled in any of the courts of the state, in any cause in which should be in question the ordinance, or any act of the legislature passed in pursuance thereof, unless he should, first, in addition to the usual oath, have taken an oath to obey, execute, and enforce the ordinance, and all acts of the legislature to carry the same into operation and effect.

And the same convention, speaking as the people of South Carolina, further declared, that they would consider any act on the part of the federal government to enforce the laws thus nullified, *otherwise than through the civil tribunals of the country*, as inconsistent with the longer continuance of South Carolina in the union; that they would thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connexion with the people of the other states, and would forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent states might of right do.

This ordinance was issued, bearing date the 24th day of November. Ten days after which, on the 4th of December, the message of the president, after noticing that, in one quarter of the United States, opposition to the revenue laws had risen to a height which threatened to thwart their execution, if not to endanger the integrity of the union, observes, that whatever obstructions may be thrown in the way of the judicial authorities of the general government, it was hoped they would be able, peaceably, to overcome them by the prudence of their own officers, and the patriotism of the people. But that, should this reasonable hope be disappointed, it was believed the laws themselves were fully adequate to the suppression of such attempts as might be immediately made; and that, should the exigency arise, rendering the execution of the existing laws impracticable, from any cause whatever, prompt notice of it would be given to congress, with the suggestion of such views and measures as might be necessary to meet it.

The subscribers could not but observe with concern and surprise, that, in a message delivered at a time when the above-mentioned ordinance of the South Carolina convention had been ten days issued, and when its contents had been several days fully known in this city, the condition of things, and the opposition to the execution of the laws of the United States in the state of South Carolina, was described in terms so inadequate, as appeared to them, to the real magnitude of the crisis in the affairs of the union. A document purporting to be the act of the sovereign people of South Carolina—an act of sovereignty so transcendent, as to speak in the language of command to the legislature of the state, as to prescribe oaths to be taken by the existing officers, civil and military, of the state, on the penalty of forfeiting their offices—an act of an authority, spurning, as beneath it, the ties of morality, and assuming to annul existing promises, contracts, and obligations—an act, first depriving the civil tribunals, both of the state and of the United States, of the power of performing their judicial functions, and then declaring that the first effort of the federal government to enforce the laws of the union, otherwise than through the judicial tribunals, should be the signal to the state of South Carolina for dissolving her connexion with this union, and forming a separate government—this act, accompanied with addresses to the people of the state, and of the other twenty-three states, declaring that it was the fixed and unalterable determination of the people of South Carolina never more to submit to a protecting tariff, must have been in the possession of the president at the time when his message was communicated to the two houses of congress. Only six days after the delivery of this annual message, the proclamation emanating from the same source, was published to the world, founded, as appears on its face, upon the ordinance alone, which had thus been in the president's possession before the message was sent to congress. It would seem that the recommendations of the message were so nearly identical with the terms condescendingly proposed as a concession by the authors of the ordinance for the future revenue system of the union, which South Carolina would graciously consent to prescribe, that an expectation was entertained that, on the receipt of the message in South Carolina, the nullifying ordinance would immediately be abrogated. And, indeed, upon an attentive comparison of the recommendations of the chief magistrate with the autocratic concessions of the South Carolina nullifying convention, there will be found between them a shade of difference so nearly imperceptible, that this expectation was not destitute of foundation. To the subscribers this affords but a source of deeper mortification, upon perceiving that formal recommendation in the message of a gradual, and, ultimately, total withdrawal of all legislative protection from all the manufactures of the country, excepting only those articles indispensably necessary to the safety and independence of the nation in time of war; an exception so strangely expounded in the report and bill of the committee of ways and means, to mean *unwrought iron*.

The proclamation did, indeed, take a direct and formal issue with the nullifying convention, upon both the articles of fundamental law, by virtue of which that assemblage asserted their right to exercise sovereign despotic authority in the name of the people of South Carolina. The proclamation denied the right of the people of South Carolina to nullify the laws of the United States. It denied the right of the state of South Carolina to secede from that union, to which the people and state of South Carolina, by the pledge of their lives, their fortunes, and their sacred honor, in the Declaration of Independence, and by their own solemn accession to the constitution of the United States, had bound themselves and their good faith, in the face of God and man. To both these principles of the proclamation the subscribers assent and adhere; and the clear and indisputable consequence from them is, that the South Carolina convention was an unlawful and unconstitutional assembly, and their ordinance an unlawful and unconstitutional act—null and void in itself, and the enforcement of which, by physical power, would be levying war against the United States.

The duties incumbent upon the president of the United States in this emergency, and the deep responsibility by which he is bound to the performance of them, are fully and unequivocally set forth in the proclamation. The sense of those duties was profoundly impressed upon the mind of its author. The subscribers deem it altogether unnecessary, and irrelevant to the present state of this country, to inquire by whom or when, or for what purpose, the absurd doctrines of nullification and secession were first gotten up and promulgated. They well know that those doctrines never can be carried out in practice, but by a dissolution of the union. The consummation of either of them must, in itself, be a dissolution of the union. If any organized power, under any circumstances whatever, in any one state, can nullify the laws of congress, then has the union no legislative, and consequently no judicial or executive power. The government is *ipso facto* dissolved, and the union must crumble to atoms with it. If any one state can at its pleasure secede from the union, every other state must possess the same power; and the constitution of the United States, instead of being a compact ordained and established by the people, to secure to them and *their posterity* the blessings of liberty, is but a partnership of corporate bodies without posterity, without soul, without faith, and ready to trample under foot, as is done by the ordinance of the South Carolina convention, its own promises, contracts and obligations, as well as those of others, or the laws of the land. Resistance against certain laws of the United States, even under the authority of single state governments, has more than once been attempted. The doctrines of nullification and secession have more than once been asserted or countenanced by resolutions of particular state legislatures; but this is the first example since the establishment of the constitution, when a formal organization of the power of the people of a state has been accomplished, not only for the avowed purpose of resisting the laws of congress, but of annihilating the whole system of revenue laws, of dictating to the whole union a new fiscal code, and of interdicting with a sentence of outlawry the *protection* secured by the constitution and the laws to at least one-third part of the people.

The subscribers cannot but lament that the president of the United States, with this ordinance in his hand, with a full knowledge of its whole import, and with a thorough conviction of the duties which it devolved upon him, in defence of the constitution and laws of the union, should, by the whole tenor of his annual message, and especially by the recommendation gradually to withdraw from the manufacturing establishments the *protection* which they enjoy by the existing laws, have given so much countenance and encouragement to the most unjust claims and most groundless pretensions of the South Carolina convention.

There is an aspect in which this controversy must be considered, and in which the subscribers believe it was peculiarly incumbent on the president, as the chief magistrate of the whole people, to withhold all countenance or shadow of support from those pretensions.

The foundation of the complaints, alleged by the South Carolina convention as the justifying cause of their extraordinary proceedings, is a collision of *sectional* interests between the slave-holding and the exclusively free portions of the union. The allegation is, that the protection extended to domestic industry, by the imposition of duties upon the productions of the like industry imported from abroad, necessarily operates to produce inequality in the burden of taxation upon the free and upon the slave-holding portions of the people, to the disadvantage and oppression of the latter: that whatever of taxation is levied by impost upon manufactures and free labor, is more than repaid by this *protection;* that it becomes thereby their interest to increase the protecting duties instead of reducing them; and that, as the labor of slaves cannot be applied to manufactures, and as the agricultural products of the south derive no benefit from this protection, the ultimate result of the impost system is to make

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it at once a tax upon the slave-holder of the south, and a bounty to the free laborer of the north.

This statement of the case presents two prominent points of consideration. The foundation of the argument is an irreconcilable opposition of *interests* between two of the great masses of population constituting the union.

1. This opposition of interests is *geographical*, the division line being that between the states where the population is entirely free, and those where the population consists of masters and slaves; the divisions are of north and south.

2. It is an opposition of interests between *servile* and *free labor*.

The subscribers believe these positions to be very far from correct; but they deem it not necessary to discuss them here; they are the positions upon which the whole system of the proceedings of South Carolina is founded, and as such they must be considered.

It cannot be denied that in a community spreading over a large extent of territory, and politically founded upon the principles proclaimed in the Declaration of Independence, but differing so widely in the elements of their social condition, that the inhabitants of one-half the territory are wholly free, and those of the other half divided into masters and slaves, deep, if not irreconcilable collisions of interest must abound. The question whether such a community can exist under one common government, is a subject of profound, philosophical speculation in theory. Whether it can continue long to exist, is a question to be solved only by the experiment now making by the people of this union, under that national compact, the constitution of the United States.

At the formation of the constitution itself, these collisions of interest presented themselves at the threshold. No sooner was the representation of the people in the popular branch of the legislature to be adjusted, than it arose. It is one of the first principles of republican freedom, that the representation of the people should be proportioned to their *numbers*. It is another, that the taxation of the people should be proportioned to their numbers and their property. But here was a community, one half of whom held it for a principle that all popular representation should be proportioned to the numbers of the people, while the other half held a third part of their own numbers as the property of the other two thirds. They claimed, therefore, that, in the popular branch of the legislature, *they* should be privileged with a representation, not only of their numbers, but of their property—of their living machinery.

Here was a great, and, it would seem, an irreconcilable collision of interests between the aggregate parties to the compact under deliberation. How was it adjusted? By concession from the northern and wholly free states. They consented, that while in this hall, in the popular branch of the legislature, they themselves should have a representation proportioned to only their numbers, the slave-holders of the south, should, in addition to their proportional numbers, have a representation here for three fifths of their living property—of their machinery. What was the equivalent for this concession? A provision that *direct* taxation should be levied under this constitution, in the same compound proportion of numbers in the free, and of numbers and property in the slave-holding states.

The basis of this compromise between great conflicting interests was, that the proportion of representation in the popular branch of the legislature, and the proportional burden of *direct* taxation, should be greater in the southern than in the northern, or, in other words, greater in the slave-holding than in the free states. Such was the compromise in principle; how has it operated in practice?

The representation of the slave population in this house has, from the establishment of the constitution of the United States, amounted to rather more than one-tenth of the whole number. In the present congress, it is equivalent to twenty-two votes; in the next congress, it will amount to twenty-five. This is a combined and concentrated power, always operating to the support and exclusive favor of the slave-holding interest, and against that northern free interest which is protected by the duties of impost. This privilege of representation for property has been always enjoyed by the slave-holding states, from the establishment of the constitution to this day; and they will continue to enjoy it as long as the constitution shall remain in force. But it was not enjoyed by them under the confederation, nor can they ever enjoy it under any confederation of states. But while their enjoyment of the privilege under the constitution is constant and unremitting, the correlative and equivalent privilege of lighter direct taxation has been effective to the free states only twice, and for very short periods, in the forty-five years that the constitution has existed. The history of the union has afforded a continual proof that this representation of property, which they enjoy, as well in the election of president and vice president of the United States, as upon the floor of the house of representatives, has secured to the slave-holding states the entire control of the national policy, and almost without exception the possession of the highest executive office of the union. Always united in the purpose of regulating the affairs of the whole union by the standard of the slave-holding interest, their disproportionate numbers in the electoral colleges have enabled them, in ten out of twelve quadrennial elections, to confer the chief magistracy upon one of their own citizens. Their suffrages at every election, without exception, have been almost exclusively confined to a candidate of their own caste. Availing themselves of the divisions which, from the nature of man, always prevail in communities entirely free, they have sought and found auxiliaries in the other quarters of the union, by associating the passions of parties, and the ambition of individuals, with their own purposes, to establish and maintain throughout the confederated nation the slave-holding policy. The office of vice president, a station of high dignity, but of little other than contingent power, had been usually, by their indulgence, conceded to a citizen of the other section; but even this political courtesy was superseded at the election before the last, and both the offices of president and vice president of the United States were, by the preponderancy of the slave-holding votes, bestowed upon citizens of two adjoining and both slave-holding states. At this moment, the president of the United States, the president of the senate, the speaker of the house of representatives and the chief justice of the United States, are all citizens of that favored portion of the united republic. The last of these offices, being, under the constitution, held by the tenure of good behavior, has been honored and dignified by the occupation of the present incumbent upwards of thirty years. An overruling sense of the high responsibilities under which it is held, has effectually guarded him from permitting the sectional slave-holding spirit to ascend the tribunal of justice; and it is not difficult to discern, in this inflexible impartiality, the source of the obloquy which that same spirit has not been inactive in attempting to excite against the supreme court of the United States itself, and of the insuperable aversion of the votaries of nullification to encounter or abide by the decision of that tribunal, the true and legitimate umpire of constitutional, controverted law.

The disproportionate numbers of the slave-holding representation in the house of representatives have secured to it the absolute control of the general policy of the government, and especially over the fiscal system, the revenues and expenditures of the nation. At the first establishment of the government, it was the slave-holding interest which dictated the principle that the public revenues should be raised, not by direct taxes, but by impost. Had direct taxation been resorted to, the very letter of the constitution prescribed that a heavier burden of it should fall upon them than upon the states where no slaves existed. The selection of impost, as the exclusive mode of taxation for raising revenue, was made and dictated by them, and for their special benefit. But they were then willing that, in raising the revenue, some protection should be extended to domestic industry. It had not occurred to them yet, that, by their disproportionate numbers in the popular branch of the legislature, they could exclude all the free labor of the country entirely from the protection of the law.

Under that protection, the industry of freedom has thriven and flourished. Often checked and retarded by that preponderating system of policy which the slave-holding interest, by its disproportionate representation in the general government, was always enabled to prescribe, and to which the labor of the free was compelled to submit, a right to *some* protection, under the compact of constitutional union, had never been denied to it. Sparingly, scantily, and grudgingly as it was dispensed, still the right to protection was conceded; and, in the raising of the revenue, actual protection was, to some degree, yielded. Free labor received its reward; but its prosperity never exceeded that of the slave-holder, nor was the protection which it enjoyed ever equal or comparable to that secured to the slave-holding interest, both by the constitution and the laws.

In this condition of the common country, with the slave-holding interest in possession of all the highest offices of dignity and power, legislative, executive and judicial, a discovery is suddenly made in South Carolina—the only state of the union in which the slave population largely out numbers the free, and where, consequently, six-tenths of the people are the property of the other four-tenths—there it is that the discovery bursts upon the nation, that duties of impost, levied for the *protection* of free labor, are unconstitutional; that domestic industry has no right to the *protection* of existing laws; and that *all* the revenue laws are palpable violations of the constitution of the United States. Upon the heel of this discovery comes immediately the fixed and irrevocable determination, that free labor shall no longer and *never more* enjoy this protection of the law. And how is this determination carried into effect? A convention of the people—that is to say, of rather more than one-half the four-tenths of the owners of the rest—a convention, representing, at the utmost, one hundred and fifty thousand souls, and, of course, less in numbers than three-fourths of the single city of New York, is assembled—itself unconstitutionally constituted, and assembled in defiance of the fundamental laws both of the union and of the state. It assumes, in the broad face of day, the exercise of absolute, despotic, irresistible, uncontrollable power; nullifies the whole code of revenue laws of the United States; dissolves *contracts, promises, obligations*, sanctioned by solemn appeals to God; prescribes oaths, as abhorrent to the pure intelligence of the being invoked to attest them, as to the souls of those upon whom they are imposed; declares the people of South Carolina absolved from all their ties of allegiance and fidelity to *their country;* annihilates the judicial tribunals of the union within the state; and then declares that, if an attempt is made to execute the laws of the union, otherwise than through those annihilated tribunals, South Carolina will secede from that union to which her fathers pledged their lives, their fortunes, and their sacred honor: from that union she will secede, and constitute herself a supreme, sovereign, feudal dominion of despotic, irresistible, and uncontrollable power. Since the attempt of the Titans to scale the throne of heaven, so bold an enterprise was

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never conceived. Since the project of the builders on the plain of Shinar to make themselves a name, lest they should be scattered abroad upon the whole earth, so gallant an exploit was never undertaken. And it was this moment, when rebellion was stalking forth under the worse than Gorgon shield of state sovereignty, that the president of the United States chose, for recommending to the insulted, vilified, and contemned legislative authority of the union, tamely to yield, in substance, to this overbearing pretension, and gradually to withdraw from the manufacturing establishments, with some vague and indefinite exceptions, the whole protection of the existing *laws*.

It has been seen that by the constitution of the United States, the right of representation in the popular branch of the legislature, and in the colleges of electors to the offices of president and vice president of the United States, is unequally divided between the northern and southern, or, in other words, the free and the slave-holding states; that while the free states are represented only according to their numbers, the slave-holders are represented also for their property; and that the equivalent for this privilege is, that they shall bear in like manner a heavier burden of all direct taxation. That by the ascendancy which their excess of representation gives them in the enactment of the laws, they have invariably, in times of peace, excluded all direct taxation, and thereby enjoyed their excess of representation, without any equivalent whatever. This is, in substance, an evasion of the bilateral provision in the constitution. It gives it an operation entirely one-sided. It is a privilege of the southern and slave-holding sections of the union, without any equivalent to the northern and north western freemen whatever.

It is not a little extraordinary that this new pretension of South Carolina, the state which above all others enjoys this unrequited privilege of excessive representation, released from all payment of the direct taxes, of which her proportion would be nearly double that of any non-slave-holding state, should proceed from that very complaint that she bears an unequal proportion of duties of imposts, which, by the constitution of the United States, are required to be uniform throughout the union. Vermont, with a free population of 280,000 souls, has five representatives in the popular house of congress, and seven electors for president and vice president. South Carolina, with a free population of less than 260,000 souls, sends nine members to the house of representatives, and honors the governor of Virginia with eleven votes for the office of president of the United States. If the rule of representation were the same for South Carolina and for Vermont, they would have the same number of representatives in the house, and the same number of electors for the choice of president and vice president. She has nearly double the number of both. Were a direct tax now to be levied, to which South Carolina herself could not object as unconstitutional, her proportion of it must be just as nearly double that of Vermont, as is the number of her members in the house of representatives. If, by the *protection* to her farmers, and mechanics, and manufacturers, against the competition of foreign labor, armed with foreign legislations, the men of the Green Mountains find brisker markets for the productions of their toil, if their mountains themselves are clad in a fresher and more perennial verdure; if the very face of nature upon her soil gladdens with the hue of hope, and the smile of joy, at the beneficence of their government, acting in auxiliary subserviency to the beneficence of heaven, while the slave-holder of South Carolina cannot derive so much benefit from the protection of man, because his industry is not his own, and all his profits must be earned by the sweat of another's brow, is this a reason to justify him for tearing to pieces the charter of national freedom by which he is bound to the freemen of Vermont? By the letter of that fundamental compact, his power in the enactment of the laws, to be binding upon both, is nearly twice that of the mountaineer. By the letter of that compact too, were the revenues of the whole community to be levied by *direct* taxation, his share of contribution must be nearly doubled. With what pretence of reason, therefore, can he complain of a slight inequality bearing upon him; not by the burden of the impost, which is every where the same, but by the primeval curse of Omnipotence upon slavery, denying to him the remote and contingent advantage which the free laborer of Vermont derives from the protection of the laws?

The subscribers believe, therefore, that the ground assumed by the South Carolina convention for usurping the sovereign and limitless power of the people of that state, to dictate the laws of the union, and prostrate the legislative, executive and judicial authority of the United States, is as destitute of foundation as the forms and substance of their proceedings are arrogant, overbearing, tyrannical and oppressive: they believe that one particle of compromise with that usurped power, or of concession to its pretensions, would be a heavy calamity to the people of the whole union, and to none more than to the people of South Carolina themselves. That such concession by congress would be a dereliction of the highest duties to their country, and directly lead to the final and irretrievable dissolution of the union.

That the president of the United States has a deep and just sense of the solemn duties devolving upon him in this great emergency, the subscribers have seen with great and most sincere satisfaction, by his proclamation, and by his message to congress communicating that document, and others issued from the executive department, together with those emanating from the disorganizing faction in South Carolina. It only remains for him to suit the action to the word. Bound by his official oath to take care that the laws shall be faithfully executed, those laws have armed him with ample power to discharge that duty so long as the execution of the laws shall meet with no resistance by force. Even that resistance also, he has not been left without means, lawful means, to overpower and subdue. If other means be necessary or expedient, it is the duty of the legislature to invest him with them. But with the usurpations of the South Carolina convention there can be no possible compromise. They must conquer or they must fall.

The subscribers are the more deeply impressed with the conviction that no compromise can be authorised or permitted with the insurrectionary spirit of the documents from South Carolina, because they consider them utterly incompatible with the principles of republican government, and because they believe, with equal confidence, that if met with open front and unyielding energy, there is nothing in this array of rebellion in the slightest degree dangerous, they will not say to the existence, but even to the peace and tranquillity of the union. For a conflict of physical force, which may God in his mercy forbid, but should it unhappily ensue, the parties to it are one hundred and fifty thousand, at the utmost, strong, on one side, and ten millions on the other. But the ordinance of nullification itself, and all the other state papers of this new sovereignty in embryo, professedly disclaim all purpose or intention of resorting to physical force, unless in self-defence. If, in the spirit of county court litigation, they can by quibbles and quillets of the law, entangle the justice of the union in a net of subtleties, by capiasses, replevins and withernams; if by imposing unhallowed and detested oaths upon their own citizens, in violation of their allegiance and obligations to their country—if, by enjoining upon them under heavy penalties, fraud, perjury, the breach of their own promises, contracts and obligations, and the forfeiture of all their civic duties as American freemen, if by all these ingenious and peaceable devices the collection of the revenues of the United States within the state of South Carolina, can be practically and permanently frustrated, the purpose of nullification is accomplished; she asks no more—she draws no sword—she faints at the very sight of blood—she thinks "the SOVEREIGN'ST thing on earth,

"Is parmacity for an inward bruise."

and as a *sovereign* state, she will administer nothing but parmacity to heal the inward bruises of the constitution. From the principles announced by the president in his proclamation, and in his recent message, and from all the measures of the government yet adopted in preparation for this exigency, there is no reason to apprehend that force will, in the first instance, be used on the part of the United States. The determination not to yield, is a spirit passive in its nature until aggression provokes it to action. It endures until summoned to resistance in self-defence. In the collision of exasperated passions, it is the temper of aggression that always strikes the first blow. Nullification, in assuming the attitude of self defence, denies its own nature: it is essentially aggressive, and will assuredly find that it can never accomplish its purpose but by hostile action. So long as it stays its hand, however, the laws of the union will have their execution. The executive minister of the law performs his duty until met by the resistance of physical force, and until then the thunder of the ordinance is but a *brutum fulmen*. Let the government of the union in all its branches manifest the pure, unaggressive, but firm and inflexible temper of self defence, and nullification will vanish like a noxious exhalation before the morning sun.

By the constitution of the U. States, it is provided that the U. States shall guaranty to every state in this union a republican form of government. The subscribers believe, with one of the most eminent and virtuous citizens of S. Carolina,* that republican government in that state, ceased, with the ordinance of nullification. It ceased, as he says, "in spirit and in truth." It ceased even in form—government is the enactment and administration of laws, or it is a dominion of arbitrary power—republican government is a government of laws. The government by will, is not republican government. The constitutions of several of the states, expressly declare the intent of their institution to be, to establish a government of laws and not of men. In these United States, the people, although the true and legitimate source of all political power, have never exercised the powers of government themselves. They delegate power by constitutions of government, all under strict limitations to secure the rights of the citizen from the oppression of arbitrary power. Under these constitutions the legislative, the executive, and the judicial powers are separated from each other, a separation without which, some of them expressly declare, and all tacitly recognize that there can be no enjoyment of liberty. They entrust the power of legislation to two co-ordinate assemblies of men, each operating as a check upon the other, and generally under the further check of a qualified negative in the chief executive magistrate. Such is the constitution of the United States. Such is the constitution of the state of South Carolina. These constitutions are the fundamental laws of the land, protective of the rights of every individual citizen. Under this protection, a convention is assembled, representing a part of the people of South Carolina, but assuming to represent them all—acknowledging no law; affecting the exercise of absolute, irresistible, uncontrollable power, and issues an ordinance annulling the constitution and laws of the United States within the state of South Carolina, commanding the legislature of the state to enact

*Thomas S. Grimke.

laws in violation of the constitution of the state; absolving the citizens of the state from the fulfilment of their promises, contracts, and obligations; and imposing upon them oaths, which they cannot take without giving the lie to their consciences in the face of God. The convention which issued this ordinance has an existence authorised by the legislature, for a whole year. After giving out this immutable ordinance, it adjourns, to meet again at the convocation of its president. Upon the principles which it assumes as the rule of action for itself, it is invested with the whole *sovereign* power of the people of South Carolina, subject to no limitation but that of time, and that extending to a whole year. During all that period its authority is paramount to that of the legislature, to the constitution of the state, to the constitution of the United States. It possesses the whole power of the people—legislative, executive, judicial—it may constitute itself a tribunal for the trial of offenders against any ordinance which it may ordain—it may pass sentence of death upon any such offender—it may erect within its hall a guillotine or a gibbet, and execute its own sentences by the hand of its own president. It has passed a law, not only impairing, but nullifying in express terms the obligation of contracts—it may, by the same sovereign power, pass bills of attainder, ex post facto laws—it may proscribe the freedom of the press, the freedom of speech, the freedom of conscience—it may establish a religion, and religious inquisition—it may grant titles of nobility—and lastly, it may invest all these powers in its president, to have, and to hold, and to exercise, to him and the heirs of his body forever. To say that they will not exercise these powers is only to say that they will not thus abuse the power which they claim to possess. It is pure unadulterated despotism—despotism in a single assembly, superseding the protection of the constitution and the laws, guaranteed by the United States to every state in the union, and to all its citizens. During the existence of that convention, the government of South Carolina is not republican. It has no government. It is under the rule of an organized anarchy, with a nominal legislature subordinate to a lawless assemblage of tyrants, calling themselves the people of South Carolina.

It must especially not be forgotten that among the implied, necessarily implied powers, claimed by this convention, is that of enacting laws for the United States—laws paramount even to the constitution of the United States. To repeal a law is to enact a law—to nullify a law is an act of more transcendant authority. The power competent to repeal is competent to enact a law. To nullify a law is an act of superior and paramount authority. The ordinance of South Carolina, nullifying in words only within the limits of that state, the whole code of revenue laws of the United States assumes, in fact, the authority of repealing that whole code throughout the United States. It legislates for the whole union. Submission to it for one instant would recognize an appellate power of legislation, co-extensive with the whole union, in every one of its states. To call such a system anarchy, would be to give it too mild a name. It is usurpation of the most odious character—usurpation of one state over the laws of twenty-three, and brands the state itself as well as the individuals by whom the absurd pretension is raised, with the indelible character of "close ambition varnished o'er with zeal."

From these pretensions the state of South Carolina must desist. The subscribers have no doubt that unless encouraged to persevere in them by some faltering or weakness of concession on the part of the government of the United States, she will desist from them, and thereby redeem herself from the obloquy of a desperate struggle to subdue the whole family of her sisters under the dominion of her own ungovernable will. She must resume her seat in the family circle, from which she has so unadvisedly started, and submit to the laws, which she shared in establishing, until she can persuade her associated equals to concur with her in repealing them. Of this result the subscribers entertain not the slightest doubt, if the clear and indisputable rights of the whole union shall be maintained with becoming perseverance and fortitude by the government of the U. States.

But the subscribers have seen with deep regret that the message upon which it has been their indispensable duty to animadvert, does in its whole purport relating to the administration of the internal affairs of the nation, and most especially in the recommendation to congress gradually to withdraw from the manufacturing establishments of the country, with a vague and indefinite exception, the whole protection of the existing laws, give an alarming encouragement, not only to the unwarrantable proceedings of the South Carolina convention, but to the most extravagant doctrines and outrages of nullification. Connected with the other effective recommendations to abandon all further purposes of national internal improvement, and all future revenues from the public lands, with the hand of ruin raised against credit and currency, in the denunciations of the bank of the U. States, and, at the root of all, the proclamation of the principle that the wealthy land-holders, or, in other words, the slave-holding planters of the south, constitute the *best part* of the national population, they can perceive nothing other than a complete system of future government for this union directly tending to its dissolution—a system totally adverse to that which has prevailed from the establishment of the constitution, till the day of the delivery of the message—a system altogether sectional in its character, wasteful of the property of the nation, destructive to its commerce, withering to its future improvement, blasting to the manufactures and agriculture of two thirds of the states, and looking in its ultimate results to sacrifice the labor of the free to pamper with bloated profits the owner of the slave.

The admission in the message, that the laws for the raising of revenue by imposts have been in their operation unequal and oppressive upon the south, the subscribers believe to be utterly without foundation. They have proved that by the constitution of the United States the principle is expressly recognised, that as an equivalent for the privilege of slave representation in the legislature and the electoral colleges, the slave-holders should bear an additional and proportional burden of all *direct* taxation. It may be that under any possible system of taxation, the owner of slaves may feel the burden of it more heavily than the free man, because he must pay the taxes of his slave as well as his own. All taxation is an assessment upon property—all just taxation bears some proportion to the property of the party taxed. If the rich pays a larger tax than the poor, it is not therefore a tax unequal and oppressive upon the rich. The unequal tax is that which exacts from the poor the same amount of contribution as from the rich. There are, to speak in round numbers, two millions of slaves in this union. At the average value of three hundred dollars a head, they constitute a mass of six hundred millions of dollars of *property*, all owned in the slave-holding states, who possess, or may if they please possess, all other kinds of property which can be held in the states where slavery is exploded. The slave-holders, therefore, are, as respects the whole union, the rich, and the freemen of the other states are the poor, of the community. The slave-holders own six hundred millions of dollars' worth of wealth more than the inhabitants of the wholly free states. And this property is self productive. It is no breed of barren metal, but a breed of living value—a breed of flesh and blood, of bone and sinew, of productive and profitable labor. Its owners hold it not only as individual property, but as collective political power. It yields them not only the increase of increasing population, equivalent in this country to a compound interest of three per cent. a year. It yields them not only the fruits of all the industry of two millions of human beings, but it yields them, collectively, twenty-five representatives in one branch of the common legislature, and upwards of thirty votes of two hundred and eighty-eight electors of president and vice president of the U. States. Upon what principle of natural justice or equity can the holders of this property pretend that they will not contribute to the revenues of the nation, more than the freeman who holds no such property, and enjoys no such representation.

It has been seen that with a free population of 280,000 souls, Vermont sends to the national house of representatives only five members, while South Carolina, with a like population of less than 260,000, sends nine—New Hampshire, with a free population of 270,000, sends only five. In the year 1813, under the third census, Vermont and New Hampshire had each six members in the house of representatives, and South Carolina the same number as at present, and as she will have under the new census, that is, nine.

In the direct tax of the year 1813, the sum apportioned to the state of New Hampshire was ninety-six thousand seven hundred and ninety-three dollars thirty-seven cents—that upon the state of Vermont was ninety-eight thousand three hundred and forty-three dollars and seventy-one cents—that upon the state of South Carolina was one hundred and fifty one thousand nine hundred and five dollars and forty-eight cents.

If the fifteen millions of annual revenue, which are supposed by the report of the secretary of the treasury to be necessary for the wants of the government, and were proposed by the report of the committee of ways and means to be levied as a permanent revenue, should now be raised by a direct tax, the sum apportioned for its payment to the state of New Hampshire would fall a little short of four hundred thousand dollars—that to the state of Vermont would a little exceed the same amount. The sum apportioned to the state of South Carolina would be upwards of seven hundred and fifty five thousand dollars, very little short of those of the two states of New Hampshire and Vermont together. Is there a human being who can imagine that the people of S. Carolina will pay, of fifteen millions levied by impost, an amount approaching to that which will be paid by the people of Vermont and of New Hampshire united? In strict justice to the non-slave-holding states, all the revenues of the union ought to be raised either by direct taxation, or by a system the operation of which would produce the same result. The slave representation is a permanent unintermitted privilege enjoyed by the owners of the slaves. The equivalent for it ought in justice to bear the same character. Duties of impost do so to a certain extent—but the substitution of them instead of direct taxation, is beyond all question favorable to the slave-holding states. Nine-tenths, at least, of all the revenue raised by impost duties are levied upon the articles of cotton, wool, and woollens, silks, flax and hemp, iron, spirits, and molasses, wines, coffee, tea, and sugar. Now, the consumption, by any part of the slave population, of any one of these articles, when imported, is exceedingly small; instead of being in the proportion of three to five in comparison with that of the free white population, it is certainly not in the proportion of one to ten. If we analyse the articles upon which the great mass of the revenue by impost is raised, we find it to be upon food and raiment; tea, coffee, sugar, wine, molasses, spirits, are of the first kind thus classified; wool, cotton, silk, flax, and leather, are of the second. Now, who does not know that the food and raiment of the slave are almost entirely of domestic growth and production? They are fed upon the fruits, and clad in the

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apparel produced by their own labor on the plantations to which they belong: It is probable that their owners consume more of the articles imported from abroad than an equal number of citizens in the states where all are free; but if so, it is either because they are more wealthy by the possession of slaves, or because they are not accustomed to habits of frugality so parsimonious and self-denying. The passions, the vices, and the virtues, of men, are all modified by their condition in civil society. Among men who subsist only upon the fruits of their own labor, industry and frugality are constantly stimulated by the natural and perpetual impulse of bettering their own condition. Wherever one portion of the community lives in perpetual servitude to another, where master and slave both subsist upon the labor of the slave, industry and frugality not only lose much of their natural influence upon human conduct, but are apt even to lose the name and consideration of virtues. The slave feels neither the spur of industry nor the curb of frugality; for the fruits of his industry are not his own, and his scanty subsistence leaves him nothing to spare. The master's wants, supplied by another's toil, multiply with the means of gratification, and his natural tendencies will be to spend rather than to hoard. All labor to him will assume the hue and disrepute of servitude, and frugality to his eyes will lose her natural healthy bloom, and fade into the livid complexion of penurious avarice. Under these influences, South Carolina, with a free white population rather less than that of New Hampshire, may possibly, by the consumption of imported articles, contribute rather more to the public revenues of the union: but the subscribers have no hesitation in declaring their belief that the difference of amount between them, if ascertained to a dollar, would be found too trifling and insignificant to warrant a whisper of complaint; and that it would bear no sort of comparison to the difference, disadvantageous to South Carolina, which would appear by the levy of an equal amount by direct taxation.

There is then, neither injustice nor oppression upon South Carolina, nor upon the southern portion of the union generally, resulting from the collection of the national revenues, by duties of impost—nor is it true that South Carolina has suffered impoverishment under this system of taxation, in comparison with New Hampshire, Vermont, or New England generally. Of this the unanswerable demonstration is found in the same fact of relative representation in congress, under the successive enumerations of the people. In 1813, under the third census, the representation of South Carolina in this house, consisted of nine members—that of Vermont was six, that of New Hampshire six. Under the last census, S. Carolina retains for the next ten years the same number of nine members; New Hampshire only four, and Vermont only five—New Hampshire and Vermont have thus lost each one member on the floor of the representative hall, while South Carolina has retained her number unimpaired. The relative increase of the population of South Carolina has therefore, for the last twenty years, been greater than that of Vermont or New Hampshire, and let it be remembered, that in South Carolina, this increase of population is at the same time in the most literal sense, an increase of wealth. There, population is property, and the increase of that part of the population which is the property of the remainder, has been in larger proportion. The slaves have multiplied more rapidly than their masters. Thus altogether, for the last twenty years, the population and the wealth of the people of South Carolina has increased more than those of Vermont or of New Hampshire, and this is the result of the system of impost, which the political economists of the new school would teach us to believe is grinding the south to dust for the benefit of the north, and fattening the New Hampshire farmer, and the shepherd of the Green Mountains, upon the spoils of the South Carolina planter.

In examining the part of the message specially referred by the house to the committee of manufactures: namely, that which relates to the *protection* necessary to domestic manufactures, the subscribers have necessarily been led not only to an examination of the principle laid down, as the basis of the recommendations, relating to this particular interest, but to a general survey of all the foundations of the new system of government for this union, the outline of which is presented for the first time in this document. They have considered it as a whole of which all the parts are adapted to each other. As a whole, which, if carried into execution, would change the nature of the government of the United States, and in their belief, at no distant day, effect its dissolution. The assumption of the principle, that with the exception of articles of indispensable necessity in time of war, all legislative protection must ultimately be withdrawn from domestic manufactures, the subscribers believe to be itself contrary to the vital spirit of the constitution, and equivalent to a bill of attainder, not against one individual, but against a whole, respectable, and most important class of citizens—the denial to them of a right secured to them by the social compact of the constitution itself. And this assumed principle appears to us the more exceptionable, inasmuch as it is the identical principle assumed by the nullifying faction of South Carolina, and had but too manifest a tendency to encourage them in the violent and unconstitutional measures by which they were, at the very moment when the message was delivered, arming the worse than eastern despotism of state sovereignty, against that same right of the citizen to the protection of the laws. Had it stood by itself, the recommendation gradually to withdraw from the manufactures the protection of existing laws, would have appeared inconsiderate, and at the moment when made, most unseasonable. But coupled as it was, with recommendations totally to abandon all future purposes of internal national improvement, to give away without equivalent the immensely valuable property in the public lands, and to sacrifice with the national bank, all the property of the nation, in corporate companies for roads and canals: and the whole system emanating from a speculative theory of political morality, pronouncing the wealthy land-holders of every country the best part of their population, the subscribers could neither disguise to themselves, nor could they, consistently with the sense of their duties to their country, withhold the exposure of their conviction that, taken altogether, it presents a decomposition of all the elements which hold this union together—an array of great interests *against* each other, instead of a combination, by mutual concession and mutual support of great interests, in union with each other. The planter of the south, the new settler of the west, the husbandman of the north and centre, the merchant of the Atlantic shore, the navigator of the ocean, and the artisan of the workshop and the loom, have each, in his several sphere of action, a separate and distinct interest, but a common right, a common stake, a common pledge in that great social compact, the constitution of the United States. All are equally entitled to its *protection*, and to that of its laws. To bind, to interweave, to rivet them in adhesion inseparably together, is the duty of the American patriot and statesman: to bring one of those great interests in hostile collision with all or any of the others, is to loosen the bonds of the union, and to kindle the fires of strife. A sound, uniform and accredited currency; an inexhaustible and invaluable fund of common property in the public lands; an organised and effective application of the national energies and resources to great undertakings of internal improvement; and a firm, efficient *protection* of commerce and navigation against the arm of foreign violence, and of manufactures and agriculture against the indirect aggressions of foreign legislation and competition:—these the subscribers believe are the cements, which can alone render this union prosperous and lasting. To decompose and unsettle the currency, to cast away the treasure of the public lands, to abandon all enterprises of internal improvement, and systematically to deny all protection to the domestic manufactures, is to separate the great interests of the country, and to set them in opposition to each other. It is to untie the ligaments of the union.

The subscribers, with the most respectful consideration, but with the freedom which their sense of duty requires, cannot but indulge the hope that the author of the message will reconsider the principles upon which its recommendations are founded, and review them upon a scale of more enlarged political philosophy than that of favoritism for one part of the population, to the disparagement of all the rest; or that of reducing the government of a nation, swelling from tens to hundreds of millions of governable population, to a simple machine. To solve civil society into its elements, is to send back man to the state of nature; it is to degrade the citizen to a savage.

The subscribers believe that this great confederated union is an union of the people, an union of states, an union of great national interests; an union of all classes, conditions, and occupations of men; an union co extensive with our territorial dominions; an union for successive ages, without limitation of time. They read in the preamble to the constitution, that it was ordained and established by the people of the U. States, among other great and noble purposes, to secure the blessings of liberty to themselves and their *posterity*. As sovereign states have no posterity, they are incompetent to enter into any such compact. The people of the United States in ordaining the constitution, expressly bound to its observance their posterity, as well as themselves. Their posterity, that is, the whole people of the United States, are the only power on earth competent to dissolve peaceably that compact. It cannot otherwise be dissolved, but by force. But to make it perpetual, the first and transcendant duty of all, who at any time are called to participate in the councils of its government, is to harmonise and not to divide, to co-operate and not to conflict.

The most remarkable characteristic of the controversy, which now threatens the dissolution of the union, is, that it originated in the discontent of one great *protected* interest, with the *protection* extended by the existing laws to another. The controversy is sectional in its nature. It is the superabundantly, the excessively protected interest of the south, which revolts at the feeble and scanty protection of the laws enjoyed by the north, the centre, and the west. To inflame these discontents, and to arm them with offensive weapons, sophisms which reason blushes to be called to confute, are wrought up into axioms of political economy; fiction usurps the place of fact, to invert the most authenticated story of our national independence. Construction nullifies the connection between words and their meaning to make the constitution say what it denies, and deny what it says, and invention is beggared for tales of decay and desolation and poverty and distress, in the south, in the face of an increasing relative representation in this house, and a doubling amount at once of population and property. The southern planter is told that duties of impost are paid, not by the consumer of the dutied articles, but by the producer of cotton, rice and tobacco. What is the purpose of this absurdity? To stimulate his selfish and sordid passion of avarice, and his hatred of the northern manufacturer. It is not true, but his anti-social passions believe it. He is told that this union is a mere confederacy of states—of sovereign states, from which any one of them may break off at pleasure. This is grossly, palpably false,

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and to bolster it up the most notorious historical facts are falsified. He is told that each of the states of this union separately declared itself sovereign and independent, and as bare untruth, is not of itself sufficient to bear out this imposture, the county of Mecklenburg is metamorphosed into the sovereign and independent state of North Carolina, to stamp the legend of the sterling standard upon the base metal of nullification. The tale is utterly groundless, but the abused planter believes it. In the constitution of the United States, the whole people of the union, speaking in the first person, declare themselves parties to it; declare themselves to ordain and establish it for the most exalted purposes of human action, upon this side the grave—even to secure to themselves and to their *posterity*, the blessings of liberty. The planter is told that these are idle, unmeaning, cabalistical words—that there is no people of the United States. That the paper called the constitution of the United States, is a league of despotic corporations, which can have no posterity to whom the blessings of liberty may be secured—which having no soul, can have no dread hereafter of the penalties of violated vows, and can never be excommunicated—which having no conscience, can be bound by no ties of morality to the fulfilment of its promises, contracts and obligations—free from all restrictions, human or divine, independent of all laws of the land or of heaven—sovereign as the throne of Omnipotence, and competent to nullify not only the laws of the whole union, but the unalienable rights of man and the decrees of eternal justice. He is substantially told all this, and he believes it.

He is then told that he is poor, and miserable—that his plantation is going to ruin—that his slaves double their numbers in not less than twenty years—that they are not worth half so much as they were when cotton sold for thirty cents a pound. That in South Carolina they cannot produce half so much as in Alabama, Mississippi, or Louisiana. But that it is all owing to the accursed tariff—all owing to the *protection* of northern manufactures by the laws of the union. He is told that the tariff takes money from his pocket and puts it into that of the northern manufacturer. He is told that the northern manufacturer is a thief and a robber—and that it is upon him, the planter, that his robberies are committed. He is told that a cruel, tyrannical, oppressive *majority* in both houses of congress are the representatives of this highwayman of the north—that they pervert the very principles of popular representation to the purposes of oppression and robbery—that they *dare not* open their hearts to the sentiments of justice and humanity. He is told all this and he believes it.

And behold the whole foundation of the superstructure of nullification. Falsified logic—falsified history—falsified constitutional law, falsified morality, falsified statistics, and falsified and slanderous imputations, upon the majorities of both houses of congress for a long series of years. All—all is false and hollow. And for what is this enormous edifice of fraud and falsehood erected? To rob the free working man of the north of the wages of his labor—to take money from his pocket and put it into that of the southern owner of machinery. It has been said that there is no philosophic falsehood so absurd, but it has been maintained by some sublime philosopher. Surely there is no invention so senseless, no fiction so baseless or so base, but it has been maintained by some learned intelligent, amiable and virtuous, but exasperated and bewildered statesman. Nor was there ever in the annals of mankind an example of a community fretted into madness and goaded into rebellion, by a concerted and persevering clamor of grievances so totally destitute of foundation, and pretences so preposterously fictitious, as that which has found its consummation in the nullifying ordinance of the South Carolina convention.

In the name of the people of South Carolina, that convention have declared, that they will never more submit to a protective tariff—and to place beyond all doubt what they mean by a protective tariff, they have nullified, that is, declared null and void, all the revenue laws of the United States. They have, to the extent of their power, extinguished all the revenues of the United States derived from duties of impost. To nullify the *protection* of the laws imparted to their fellow citizens, constituting more than half the population of the union, they have abolished the revenues of the nation. They have in express terms declared so long as the principles of protection shall be recognised by the laws of congress, "NO MORE TAXES SHALL BE PAID HERE," that is to say in South Carolina.

South Carolina, then, by virtue of her sovereign power, has deprived the people of all the rest of the union of the protection of existing laws; and she has declared that she never more will pay her proportion of the taxes, not even of the taxes imposed for revenue alone, until the principle of protection, that is of protection by the imposition of duties, shall be renounced—renounced forever. In their theory, the South Carolina convention make an all-important distinction between duties imposed for revenue, and duties imposed for protection; but in their practice, they involve them all in one common ruin.

Now, the subscribers cannot suppress the mortification and alarm with which, at the very moment when the arm of one of the states of this union was thus raised, proclaiming with a voice of thunder her inflexible purpose to strike a vital blow at the right, the first constitutional right of more than half the people of the union, to protection—even to the protection of existing laws—that at this peculiar moment, the chief magistrate of the United States should have addressed to the legislative councils a message, recommending not only a gradual withdrawal of *all* that protection, but a whole system of administration for the future government of the union, adapted to that principle of withdrawn and nullified protection—a system revolutionary in its character, totally departing from all the paths of peace and prosperity trodden by Washington and all his successors, down even to him who now calls us to deviate from them; to explore new wastes of desolation, beyond which there is no promised land, but all is one unbounded and interminable desert—a system impending with universal ruin, draining all the sources of fertility from the fountains of internal national improvement, shaking to its foundation all commercial confidence, by the determined annihilation of the bank, and wresting forever from the people of the United States and from their posterity, for unnumbered ages, the inestimable inheritance of the public lands, bequeathed to them by their fathers, or acquired at the expense of their own toil and treasure, as a property common to them all, and already yielding them yearly millions of income, which may be, and ought to be, applied to the employment and compensation of the laborious poor, and at the same time to the permanent and growing improvement of the condition of the people.

Such, in the opinion of the subscribers, is the *protection* due to domestic manufactures—to the interest specially committed, by the standing order of the house, to the charge of the committee of which they are members. The protection necessary to domestic manufactures is the protection of the existing laws. It is the protection extended, though in other forms, to all the other great interests of which the community is composed—the protection enjoyed by the planter of the south, by the woodsman of the west, by the merchant of the populous cities, by the mariner of the seas—protection from foreign hostility—protection from foreign competition.

But the subscribers must not be misunderstood. This protection is in no wise incompatible with a reduction of the revenue, nor even with a reduction of the duties by impost. The taxation of the country may be reduced to the wants of the government, at whatever scale the standard of these wants may be fixed by the wisdom of congress, without at all impairing the principle of protection. The two principles have no necessary connexion with each other; and all this bitter controversy has arisen from the blending of them improperly together. That the taxation of the country ought now to be reduced the subscribers do not believe, because at the present moment the treasury, so far from overflowing, is drained of more than its last dollar. Because the tariff act will not, in their opinion, bring any excess of revenue into the treasury, at least for the two succeeding years; and if even the prospect of such an unexampled evil should approach, the next congress will be invested with ample powers to ward it off, and will certainly not be slow to exert them. Nothing can be more fallacious than the fancy that *we* can control the action of our successors upon subjects over which their jurisdiction will be the same as ours; with this exception, that theirs will be in full vigor, and ours forever extinct. It is not for the dead to give laws to the living. Prospective legislation upon the most uncertain of contingencies, if not absolute usurpation, is akin to it in the impotence of its claims. It is the broken column and mutilated inscription of ETERNAL ROME. If the time should come when even the prospect of a redundant treasury shall be imminent, taxation ought to be, and undoubtedly will be, reduced; and in reducing its amount, the obligations of congress will be to accomplish that object without injuriously affecting any of the great interests of the country. That this cannot be done by one uniform ad valorem duty of any given per centage upon all imported articles, is certain; nor can it without great injustice be effected by discarding all discrimination, except that of articles charged with impost, and articles entirely free. Nothing can be more unequal and oppressive in taxation, than the assessment of the same rates of duty upon all dutied articles. Its first inequality is its bearing upon the rich and the poor; the same tax, which is unfelt by the wealthy land-holder, may crush to the earth the day-laborer who tills his ground. Its next inequality, is that produced by foreign legislation and foreign competition. An article of foreign manufacture comes into your market cheapened by a bounty upon its export, at the place whence it came; it comes in competition with a like article, the production of your own soil or of your own industry; tax it at the same rate of per centage upon its value, as you do an article upon the production of which none of your own citizens have staked their fortunes and subsistence, and you consume all your manufactures with fire. It may be taken as a rule of universal application, that with a uniform rate of ad valorem duties, without discrimination, there can be no domestic manufacturing establishments. This is the protection which they now enjoy by the constitution and existing laws of the United States. This protection the subscribers believe to be indispensably necessary to their existence, and its withdrawal by the general government, whether immediate or by gradual steps, leaves them only the melancholy alternative of sudden death, or slow and lingering extinction. In either event, it will be the sacrifice of all the free industry of the union to that *best part of the population*, the wealthy land and slave-holder of the south. This is the policy recommended by the message of the president of the United States, and against which the subscribers, as members of the committee of manufactures, in submitting this their report to the house, deem it their duty respectfully, but most earnestly to remonstrate.

J. Q. ADAMS.
LEWIS CONDICT.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 14—VOL. VIII. BALTIMORE, JUNE 1, 1833. [VOL. XLIV. WHOLE No. 1,132.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

APPOINTMENTS BY THE PRESIDENT. *Louis McLane*, of Delaware, to be secretary of state in the place of Edward Livingston, appointed minister to France.

*William J. Duane*, of Pennsylvania, to be secretary of the treasury, in place of Louis McLane, appointed secretary of state.

*Edward Livingston*, late of Louisiana, to be envoy extraordinary and minister plenipotentiary of the United States to the court of his majesty, the king of the French.

*Thomas Pennant Barton*, of Pennsylvania, to be secretary of the legation of the United States at Paris.

[It is stated, that Mr. Livingston, will proceed to France in the Delaware 74, capt. Ballard, bound for the Mediterranean, if she can be prepared in time.

It is again reported that Mr. Stevenson, of Virginia, late speaker, will be appointed minister to England.

By the articles inserted in another page, it appears that many changes have been, or are, contemplated at Washington.]

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"JOHN R[illegible] Philadelphia, at [illegible] on Friday, the 24th ult. He was born on the 2d June, 1773, and, consequently, sixty years old, less a few days.

He was exceedingly emaciated—but "his mind retained its usual character until within two hours of his dissolution. It then appeared to sink, and suffer, like the body, complete exhaustion." He arranged his temporal affairs, and directed that his corpse should be transported to Roanoke, and buried under a particular tree.

It is said, that the property left by him is worth a million of dollars; and reported that he made provision for the emancipation of all his slaves, and for the support and management of those who are either too old or too young to take care of themselves—and added, that he left a handsome legacy to Mr. Randolph, late lieutenant in the navy;* but believed that the chief part of his estate will descend to his two half brothers, and one half-sister. The much valued judge Tucker is one of these.

On the day after his decease, a large meeting of the citizens of Philadelphia was held in the district court room—judge *Hopkinson* was called to the chair, and col. *J. G. Watmough* appointed secretary.

On motion of *John Sergeant*, esq. who made a forcible and eloquent address on the character and abilities of the deceased, a committee was appointed to confer with the personal friends of the late John Randolph, esq. with the view of making arrangements for offering a public tribute of respect to his remains. This motion was supported by *Horace Binney*, esq. in a speech of some length.

The motion was unanimously adopted by the meeting, and the following named gentlemen were appointed the committee, viz: Nicholas Biddle, Samuel Breck, Joseph Hemphill, B. Willing, C. J. Ingersoll, James Brown, G. M. Dallas, gen. T. Cadwallader, John G. Watmough, judge Hopkinson and Horace Binney.

A correspondence was opened on behalf of the committee with *John S. Barbour*, *Henry E. Watkins* and *William J. Barksdale*, esquires,† requesting their views as to any tribute of respect that might be offered to the remains of the deceased. The latter feelingly acknowledged the compliment tendered—but declined the acceptance of any other mark of respect, because of the delay that it would cause in removing the body: and, on the ensuing day, it was received in Baltimore, and sent on to Virginia.

The papers are filled with notices of the death and sketches of the character of Mr. RANDOLPH, and we have also reports of the remarks of Messrs. *Sergeant* and *Binney* at the meeting of the people above mentioned. We intend to record some of them.

BANK OF THE UNITED STATES. ... few days since in the street, who stated, (in the course of a casual and brief conversation), that the exchanges of the bank of the United States, *made without charge*, in checks drawn, or [foreign] bank notes received, amounted to more than one hundred million of dollars *per annum!* We thought ourselves pretty well informed as to the magnitude of the operations of this establishment, and fully knew that its facilities, afforded in exchanges and remittances, saved us several hundred dollars a year—but the greatness of the sum named caused us to express a belief that the gentleman had mistaken, or misunderstood, the amount. On which he said, that he would obtain a copy of the whole statement which had been made of the "exchange transactions" of the bank, during the last year—and hand it to us.

Such is the "history" of the paper annexed, which, we believe, is copied from certain of the documents that were laid before congress*—and, perhaps, has already been published; though we do not recollect to have seen it before. But whether or not, the facts set forth are of deep interest to the people of the United States, because of the astounding truth presented—that values to the amount of $241,714,912, were *exchanged* by the bank of the United States in 1832, at about the average rate of one-eleventh of one per cent.—or say, *ninety cents* on every *thousand dollars* of the whole sum; and that, of the above mighty amount, about $120,000,000 were exchanged without any charge for premium: and, the average premium on the remaining 120 millions being less than one-fifth of one per cent. shews that a large part of this amount must, also, have been negotiated without charge; but the fifth of one per cent. *is a rate that would not nearly have insured the* SAFETY *of the mails, and paid the* EXTRA POSTAGE, *if bank notes, instead of drafts, had been transmitted.*

Our own little business, [in publishing the REGISTER] renders us able to speak of this matter in a very positive manner, for we have more or less subscribers in *every* state and territory in the union; and the truth is—to say nothing about *extra* postages on double, treble and quadruple letters—that two per cent. hardly pays the *shavings* exacted of us by the brokers, on the bank notes received by us—except those of the bank of the United States and its offices, such as are issued in Maryland, and in the *cities* of Boston, New York, Philadelphia and Richmond, only; for, although the issues by certain other local banks in Virginia, Delaware and Pennsylvania are freely received by the Baltimore banks in deposite, or freely circulated in Baltimore, they are not sufficient to bring down the average amount of shavings paid to less than about *two per cent.* on account of all other bank notes. There is no manner of doubt concerning this fact—for, though the bills of most of the banks in the United States are just as good, "*at home*," as those of the Baltimore banks are to us—they may be only as *merchandise* [to *us*], and must be reduced into *money*, for use: for we never pay debts to our working people, or others, in "money," or currency, which the baker, and butcher, and grocer, will not receive of them—at par; and hence are compelled to *sell* bank notes received, as stated above.

We see that the average of all the *exchanges*, properly so called, of the bank of the United States, in 1832, was only *one-eleventh of one per cent.* or 90 cents on every 1,000 dollars, exchanged: that is, for drafts issued on, or paid, at "foreign" places, or on account of "foreign" bank notes received on deposite. Could a more moderate ratio be desired? And for this eleventh of one per cent. the goodness of the money remitted is rendered certain—the safety of the mails insured—its use by the individuals to whom they belong; the postage on [illegible] made almost positive—and [illegible] sight—but always paid on presentation, [illegible] offered by persons to whom they belong; the postage on a draft of 50,000 or 500,000 dollars is no more than on the remittance of a one dollar bank bill; and the "one day's sight," with men doing business in a regular manner, not only renders a robbery of the mail, (if one should happen) useless to the robber, so far as the draft is concerned—but if the person who actually receives it, by any accident loses it, though even endorsed, he may arrest its payment and regain its amount, by making the fact known to the bank on which it is drawn—for that bank or office is furnished with daily lists of all the drafts

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* Of the truth of these sayings and reports we know nothing.

† Who happened to be in Philadelphia, and acted as the more immediate friends of the deceased.

*We since understand, that it is copied from a statement that was made to the senate.



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that are made upon it, for the security of all parties. And by such safe, and beautiful, and cheap operations, we see that 241,717,912 dollars were transferred from places to places, in the last year.

There is a simplicity and strength in these facts, which must claim the admiration of every one that will reflect a moment upon them; and a harmony and usefulness which cannot escape the notice of any man, willing to receive knowledge.

State institutions, however correctly managed, cannot carry on these exchanges, unless at a much higher rate of premium, which would also be rendered more uncertain as to its *price*, or in the *extent* to which it might proceed—for reasons that will appear manifest to every person who is at all acquainted with the nature of exchanges. To manage them prudently, cheaply, and safely—they must be regulated by one common head, having a collected information of the supplies or wants of particular places; which is known, with all possible accuracy, at the parent bank in Philadelphia, because of the correct weekly returns which are made from its numerous offices; and, without such knowledge, these heavy exchanges could not be regularly made—no one, wishing to remit money, could either calculate the *time* or the *cost* of it, with that certainty which is so important in all mercantile transactions. The local banks have large dealings with one another; but, with the best accommodations [illegible] among them, it might require several operations though a bank in New Orleans to place funds at Portland, or Buffalo, each of which would be attended with some risk, besides the extra trouble incurred—requiring, perhaps, from three to five drafts, in many cases, to pass the money to its destination—causing also considerably increased expenses, and much delay. The interchanges of currency, on account of the circulation of values in the United States, are of mighty amount—some *thousands of millions a year*. The exchanges of the bank of the United States, as stated in the table below, goes only to shew the operations of that *particular* bank, in what, we believe, are generally called "foreign" exchanges—that is, exchanges of personal drafts, or bank bills, payable at other places than those in which they are received: and when to these we add the exchanges of individuals *within* the states, or through the local banks, and otherwise, we cannot doubt that the aggregate "circulation of values" is thousands of millions, annually; all which are regulated, more or less, by the bank of the United States, as a great "balance wheel."

We think that the "circulation of values" has been doubled in the *abominable* and *oppressive* tariff years—or since 1824; and have, while writing this article, taken the liberty to make an inquiry on that subject. It shall be added—if received in time. We, in Baltimore, had "no sort of idea" of the value of the trade of the Chesapeake bay, in seasons of business, until its surface was covered with British vessels, and its shores ravaged by modern Goths and Vandals—so the people of the United States will only obtain a rightful knowledge of the value of of an *excited* industry, in the loss of such excitement—in seeing deserted fields, dilapidated factories, abandoned houses, and owl-tenanted villages. The increased circulation above alluded to, equally interests the proudest capitalist and the humblest laborer. It benefits *every* human being within its range—WHO POSSESSES OR PRODUCES VALUE. This principle cannot be contested—but time is not allowed, nor is the [illegible] of it. The veriest dolt that [illegible] tinkers a pot, ought to know the difference between rapid and slow exchanges of values; and that *money** is rapid or slow in its exchanges, in exact proportion to the prosperity or adversity of the United States.

There is nothing more clear, in our estimation, than that the vastly increased *interior* trade and commerce of the United States imperiously demands, (and *must* and WILL have), some certain and well known medium for carrying it on.† The shape that it may assume, or the name by which it shall be called, are of little importance to the people, in general. There never will be a "poor man's bank," as idiot-politicians have projected; and it is madness to entertain the idea of converting those who want to borrow money, into lenders of money, or currency. Such was the hot-bed of the *paper money manufactories* which so grievously abounded some years ago, in very many of which more crimes against property were committed than by *all* the inmates of the thickest peopled of our penitentiaries; and persons who depredated by twenties of thousands of dollars, rolled in their coaches, and were "clothed in purple and fine linen, and fared sumptuously every day," while poor wretches who had transgressed to the value of a ham or a hat, a bushel of corn or a pair of shoes, were locked up within four high walls, and, clothed in prison garments, fed upon measured allowances of the coarsest food. The amount of all the depredations of all the *highwaymen* and *robbers*, *pickpockets* and *thieves*, *black-legs* and *professional knaves* that have existed in the United States from the first settlement of the country to the present day, is but as a "drop in the bucket," compared with the swindlings that were contrived, concocted, or administered in the mushroon "rag shops" alluded to. We would not "lack charity"—we think that we could assist to drag "old Satan himself" [illegible], if required in [illegible] pursuit of an innocuous object, (admitting that [illegible] devil can ever be in harmless mood), but never had, nor can have, any sort of sympathy with, or feeling for, gangs of deliberate *speculators*—remorseless as the bandit bands of the Appenines, and such as commenced loans of what they called money, without even the means of honestly paying for the plates with which they stamped the paper that they issued! These gangs—whose spoliations cost the productive classes of the community hundreds of millions of dollars,* would never have shewed their brazen front, had any just and reasonable approximation to an "UNIFORM CURRENCY" existed in the United States. What has been, may be: we revert to a recollection of these times with ineffable disgust; and deprecate their recurrence as much as we should another "whiskey insurrection" in Pennsylvania—or a "going to the death for his sugar," with "general Hamilton, commanding the state troops of South Carolina, at Charleston!" The meanest and the worst of mankind that abound, are those who engender *conspiracies* to injure honest men—such, for example, as those at New York, who are charged with having *fraudently* obtained a copy of the message of the president of the United States in advance, and acting upon the knowledge (thus gained) of its contents, trafficed in the stock in the bank. Such individuals only want the poor merit of *courage*, to become highwaymen, or pickpockets.†

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*The word "money" is here used, as meaning coin, or a currency which may be exchanged for coin—at pleasure: not such issues of paper as are spoken of below.

†The *Globe*, however, says—"Neither the president nor vice president will ever favor a national bank. Both unite in the opinion that the state banks may be put on such a footing by the state legislatures, as to become safe depositories of the public funds and capable of accomplishing all the beneficial results, ascribed by the friends of the bank of the United States to that institution."

And the *Pennsylvanian* adds—The idea flung out that the administration favored the location and establishment of a great national bank at New York, is all moonshine. State banks and state rights will be brought into play again—consolidation and nullification will bite the dust.

*Directly and *indirectly*. The profits made by the speculators, though of large amount, were inconsiderable when compared with the effects which followed from the derangements of business [illegible] of property, caused by [illegible] of paper.

†The class of men to whom this charge applies, will give the *credit* of it to a letter-writer for the *Richmond Enquirer*, who, relating the outrage committed on the person of the president of the United States, at Alexandria, said—"A person approached the president, and, *tendering his hand*, observed—General! *If you will promise to reprieve me*, I WILL MURDER THE DASTARD! Much allowance must be made for the excitement of the moment. Had we been present, we should not, perhaps, have hesitated in an attempt to take hold of Mr. Randolph, *without a calculation of consequences*; but this proposed *bargain*, by a shaking of hands, to commit an *acknowledged* "MURDER," is the "cap-sheaf" of all the things of the sort that we have met with; and it must be hoped that the president would have instantly resented the gross indignity offered him—(an indignity greater, in our opinion, than Randolph himself had inflicted), except to be excused in his own excitement at the time; or a prompt conclusion that the person addressing him knew not what he said—which, probably, was the case, in the rush of his feelings. But that such a fact should be *coldly*

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We ought frequently to look back, and see how things have been.

The mass of the people cannot have any other interest in banks, than that they should be prudently and honestly conducted. The proportion of those who hold a greater amount of bank stock than of money which they owe to banks, is hardly as one to twenty thousand of even highly respectable farmers, dealers and mechanics of the United States. In the present state of society it seems almost universally admitted, that banks are indispensably necessary; and it is self-duty in the *many*, (benefitted by the establishment of banks), to take care that the power given to the *few*, is not abused—and prevent, so far as they can, by the moral power or political influence which they possess, all sorts of SPECULATIONS or GAMBLINGS, in the stocks of banks, or misuses of their credit or funds: for the many, in the long run—nay, those who live by the labor of their own hands, must finally be the sufferers because of such speculations and gamblings, or monopolies or misuses of funds—if *real* losses are sustained; *because that labor is the only means by which value is created.* If one dealer in stock "makes" 10,000 dollars on his sales, and another loses that amount—the people may not be injured, except so far as such dealings have an influence over public morals; but if, by other operations, the currency is suddenly contracted, or expanded, or monopolised—a public injury ensues, and all persons within the range of such operations must feel it, in one way or another. It is a serious question for political economists—whether the expansion of our currency, in the mere waste and prodigality which it caused, when specie payments were suspended during the war of 1812, &c. had not a more ruinous effect upon society, at large, than the contraction of the currency when specie payments were resumed. The last, to be sure, was the most easily *seen* in the bankruptcy of tens of thousands of worthy men, and the desolation which it caused—but the superabundance of what passed for money was the origin of the wide ruin that prevailed, when the value of paper came to be closely measured by the value of coin.

These brief remarks are simply offered to shew the lively and deep interest which every working or dealing man has in the *steadiness* and *solvency* of the currency. If a bank fails—a large part of the loss falls upon those who had no personal interest in its stock—who had never, directly, made one cent of profit out of the bank; for it is the "aim and end" of the herd of speculators, when they cannot gather profits for themselves, is to cast *foreseen* losses upon innocent and ignorant persons. And instead of individuals being "hanged on a tree," "fifty cubits high," for such depredations, they rather obtain an enviable reputation as good financiers, shrewd managers, and thrifty men!

To return to our subject. It seems very generally admitted that we must have some establishment, capable of continuing the present exchange operations of the bank of the United States, and of preserving uniformity in the currency, so far as the same is practicable—and the momentous question is presented, *whether the present bank of the United States, with some modifications of its charter, shall be continued—or a new one built up.* This matter was clearly presented to the mind of the late Mr. *Randolph;* and, without retiring from his constitutional objections to the bank, he had resolved to support a renewal of its charter, in the [illegible] an institution, and a well-grounded apprehension of such establishment of a *new* bank would be attended with other and greater evils, than can possibly ensue from continuing the old one.

That Mr. Randolph was right in this resolution, we think, cannot be doubted by any well informed man—unless wishing to gamble in stocks, or madly resolved to render all things subservient to his own narrow and selfish political views—willing to inflict any permanent evil on the country, for the gratification of his own temporary preferences.

It was a belief generally entertained by the democratic party, that the old bank of the United States had used its power for *political* purposes, more than a doubt of its *constitutionality*, which caused a refusal to renew its charter. We can almost say that we know this to have been the case. Whether the belief above stated was just or otherwise, has nothing to do with the fact. The belief was cherished as in a certainty of its truth; and, with the minds of men so strongly excited as they were at that time, and had been for years—because of radical differences which were thought to exist between the two great political parties, it was easy to slide into an opinion that the establishment of the bank was an unconstitutional proceeding, and use that opinion as the leading reason why the bank should not be re-chartered. We appeal to common sense, in support of what is just stated—and refer to all the old democrats, yet living, as well concerning the belief that was entertained, *as for the general action of that belief on their own minds.* And being thus "committed" in a declaration against the constitutionality of the bank, as a party, it was not easy to give up the ground which *the* party had assumed, however great the *necessity* appeared for rebuilding of some such an institution. This necessity was manifest. And, as in the former case, political feelings had strengthened the constitutional objection to the bank——a sense of the public good, the necessity of extinguishing the *rag-currency* of the country, and of restoring a sound and safe one, now weakened the constitutional objection in some, and neutralized it in others. We speak of things that we do know. And so it was, that many of the old and "staunch democrats of 1798," voted for the present bank; and president *Madison*, who was at the head of that party, approved the law. Well—the bank was established; but so imprudently, or *wickedly* managed, as some thought to make princely fortunes for a hundred or two individual stockholders, or gamblers in its funds—that the constitutional objection was revived by many who had laid it aside, and superadded to the loud and earnest complaints that were made because of a maladministration of the affairs of the bank: and, certainly, the facts brought out shewed many strange, and highly reprehensible, and truly alarming proceedings, in persons who had a commanding influence over its management. We cannot now go into particulars—but intend to revive the history of these times, as a warning and a guide; with a hope that such revival may have some small tendency to prevent a recurrence of events which so much agitated and embarrassed the whole country. But the result was—that the bank was *reformed;* and, by a peaceful and correct administration of its affairs, is now effecting exchanges to the amount of 240 or 250 millions of dollars a year, at the average cost of one-eleventh of one per cent. to the people of the United States!

This article is already too long—and we have only to add, that we shall resume the subject; and especially to shew what *was* the former, and *is* the present condition of the existing bank of the United States; and inquire into, and ascertain, if we can, what possible good may result to the *public*, from destroying the present institution that a new bank may be made. Our serious belief [illegible] the benefit only of some two or three [illegible] sons, resolved to make themselves richer by speculation in, and monopolies of, the stock. We say—"LET VERY WELL ALONE;" modify the charter, if thought necessary; so restrict and restrain the powers of the bank that it *cannot* wantonly oppress any well and honestly managed state bank, and let all wholesome checks and balances be established—but let not the bank be broken down for the simple and sole purpose of benefiting a few solitary individuals—whose interest, compared with that of the community, is of no consideration whatever. Every man is deeply interested in the preservation of a sound and wholesome currency; but not one in fifty thousand of us, have, or will hold, a personal interest in the dividends or profits of the present bank, or any other that may be established by the congress of the United States.

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stated in the "Richmond Enquirer," yet most astonishes us, the reply of the president being added, &c. The whole, perhaps, is fabulous. We hope so.

[The name of the individual who would thus have rendered the *president* of the United States, in his power to pardon, a partner in the high crime suggested, is given in the "Enquirer;" but we shall do an act which may assist in preserving for him any part of the reputation of *Erostratus*. The *condition* on which he would have committed the offence, forbids it. The *calculation* is horrible. The individual, surely, did not know what he said—and so may be excused; but the deliberate record of his proposition amazes us.]

Statement of the exchange transactions of the bank of the United States and its offices of discount and deposite for 1832.

| | Domestic bills purchased. | Domestic bills collected. | Drafts of bank U. States and offices on each other. | Drafts of bank U. States and offices on state banks. | Notes of bank U. States and offices received. | State bank notes received at bank U.S. and offices out of places where offices are located. | Transfers of treasurer U. S. | Transfers of office balances. | TOTAL. |
|---|---|---|---|---|---|---|---|---|---|
| Bank U. States | 5,782,041 35 | 8,828,121 94 | 5,091,235 00 | 39,829 00 | 6,789,735 00 | 4,373,000 00 | 6,495,000 00 | 9,767,666 47 | 47,166,[illegible]28 76 |
| Office Portland | 391,350 94 | 260,475 86 | 230,071 46 | 38,013 80 | 91,460 00 | 156,000 00 | | | 1,167,[illegible]72 46 |
| Portsmouth | 326,799 14 | 19,607 67 | 166,505 21 | 5,300 00 | | 14,782 00 | 125,000 00 | | 657,[illegible]94 09 |
| Boston | 4,289,957 42 | 860,099 38 | 894,113 08 | 7,539,000 00 | 2,249,785 00 | 200,000 00 | 360,000 00 | | 16,392,[illegible]54 88 |
| Providence | 1,321,320 67 | 484,417 56 | 588,598 14 | 16,600 38 | 45,515 00 | 90,369 00 | 180,000 00 | | 2,726,[illegible]0 95 |
| Hartford | 197,573 18 | 60,000 29 | 108,780 16 | 2,139 59 | 25,565 00 | 235,970 00 | 125,000 00 | | 755,[illegible]8 72 |
| New York | 3,141,481 80 | 15,172,357 00 | 1,041,608 40 | | 13,542,835 00 | 46,435 00 | 525,000 00 | | 33,469,[illegible]7 20 |
| Baltimore | 1,161,580 10 | 3,646,603 08 | 1,456,666 10 | 1,412,000 00 | 1,601,470 00 | 80,210 00 | 450,000 00 | | 9,808,[illegible] 18 |
| Washington | 1,041,155 56 | 2,139,692 89 | 5,833,185 69 | 448,405 82 | 199,800 00 | 2,273,477 39 | 5,390,000 00 | | 17,325,[illegible] 98 |
| Richmond | 2,847,304 08 | 3,694,141 01 | 657,382 70 | 8,342 93 | 230,730 00 | | 530,000 00 | | 7,967,[illegible] 72 |
| Norfolk | 1,264,835 32 | 264,233 03 | 1,612,156 47 | 22,212 52 | 104,610 00 | 432,505 00 | 1,150,000 00 | | 4,850,[illegible] 34 |
| Fayetteville | 1,659,369 80 | 72,402 45 | 1,126,708 38 | 101,841 03 | 247,815 00 | 875,543 00 | 15,000 00 | | 4,098,[illegible] 16 |
| Charleston | 4,206,054 04 | 160,057 00 | 1,558,328 10 | | 1,081,200 00 | | | | 7,006,[illegible] 84 |
| Savannah | 3,029,248 87 | 2,672,448 00 | 635,182 01 | 624,418 00 | | 3,037,730 00 | 25,000 00 | | 10,024,[illegible] 88 |
| Mobile | 4,720,150 61 | | 2,519,189 36 | | 272,130 00 | | | | 8,396,[illegible] 17 |
| N. Orleans | 13,251,760 64 | 234,101 31 | 1,500,596 55 | | 1,291,145 00 | 560,905 00 | | | 16,838,[illegible] 51 |
| Natchez | 4,077,927 29 | 182,038 00 | 2,448,547 31 | | 45,940 00 | | | | 6,754,[illegible] 80 |
| St. Louis | 273,387 24 | 457,289 07 | 795,963 87 | | 1,212,635 00 | | 600,000 00 | | 3,339,27[illegible] 18 |
| Nashville | 3,222,386 46 | | 150,360 68 | | 997,470 00 | 497,542 00 | 10,000 00 | | 4,877,7[illegible] 14 |
| Louisville | 4,033,802 64 | 78,408 00 | 337,956 34 | | 3,763,662 00 | 359,158 00 | | | 8,572,9[illegible] 98 |
| Lexington | 1,505,521 45 | 684,844 57 | 517,746 08 | | 1,042,670 00 | | 20,000 00 | | 3,770,78[illegible] 10 |
| Cincinnati | 1,788,429 03 | 130,600 00 | 865,486 09 | 2,142 67 | 3,491,405 00 | 1,179,555 00 | 25,000 00 | | 7,482,617 70 |
| Pittsburgh | 1,754,565 86 | 1,180,158 27 | 624,981 11 | | 840,895 00 | 2,150,887 00 | | | 6,551,457 32 |
| Buffalo | 899,714 67 | 413,167 00 | 1,652,532 9[illegible] | 1,005,015 65 | 174,700 00 | 1,766,700 00 | 40,000 00 | | 5,951,830 29 |
| Utica | 587,302 99 | 385,269 62 | 367,494 77 | 951,553 98 | 84,540 00 | 1,349,004 91 | | | 3,725,166 27 |
| Burlington | 741,652 63 | 15,520 14 | 14,708 93 | 144,430 94 | 21,815 00 | 865,584 00 | 35,000 00 | | 1,838,720 64 |
| Totals | 67,516,673 78 | 42,096,062 07 | 32,796,087 26 | 12,361,337 31 | 39,449,527 00 | 21,630,557 30 | 16,100,000 00 | 9,767,666 47 | 241,717,912 19 |
| | | | | | | | | Foreign exchange purchased,.... | 9,253,533 61 |
| | | | | | | | | " " sold,......... | 4,203,204 67 |
| | | | | | | | | | 255,174,650 47 |

RECAPITULATION.

| | | | |
|---|---|---|---|
| Domestic bills of exchange purchased | | | $67,516,673 78 |
| " " collected | | | 42,096,062 07 |
| Drafts of bank and offices on each other | | | 32,796,087 26* |
| " " " " state banks | | | 12,361,337 31* |
| Notes of bank and offices received { out of places | | | 39,449,527 00† |
| " state banks " { where located | | | 21,630,557 30† |
| Transfers on account of the United States | | | 16,100,000 00† |
| " " office balances | | | 9,767,666 47† |
| | | | $241,717,912 19 |
| Foreign exchange purchased | 9,253,533 61 | | |
| " " sold | 4,203,204 67 | | |
| | | 13,456,738 28 | |
| | | | $255,174,650 47 |

The amount of premiums received by the bank for the same period is $217,249 56 which is about one eleventh of one per cent. on the aggregate amount of $241,717,912 19

*These were chiefly free of charge. *Ed.*

†Free of charge.

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THE LATE TREATY WITH FRANCE, PROTESTED DRAFT, &c. We do not recollect to have seen any reason assigned, "by authority," why the late draft of the treasury of the United States upon that of France, was not paid—though the draft is said to have been protested because the chambers had not appropriated money to pay it.—Perhaps, there is a good reason why the appropriation was not made—a suggestion of which has caused us to look into the treaty and the law carrying it into effect—with the proclamation of the president, &c. and it appears to us, that the first instalment, payable under the treaty, *is not due until the 13th day of July ensuing*. But, because that the [recent] secretary of the treasury made the draft payable on the 2d *February* last, we feel much distrust of the conclusion at which we have arrived—although we *cannot* reach any other, as at present informed.

Those who feel an interest in what follows, will carefully attend to the dates.

The treaty with France was signed at Paris on the 4th *July*, 1831—by Mr. Rives and count Sebastiani.

The second article of the treaty provides for the payment, at Paris, of 25,000,000 francs to the United States, in six successive years; and says—*"the first instalment shall be paid at the expiration of one year next following the* EXCHANGE *of the ratifications of this convention*, &c.

The seventh article of the treaty says that *"from and after the* EXCHANGE *of the ratifications*," the wines of France shall be admitted at certain rates of duty, &c.

These are the two leading parts in the treaty—and the former rests upon the latter.

The treaty-making power vested in the president and senate, does not extend to the repeal of an established law of the land; and hence the necessity of an act of both houses of congress to reduce the existing duty on French wines, as proposed in the treaty.*

In consequence, an act was passed, and approved by the president on the 13th *July*, 1832, providing for the appointment of a commission to examine the claims of our citizens, &c. The 10th section of the act is in the following words:

Sec. 10. *And be it further enacted*, That for the term of ten years, from and after the *second day of February*, one thousand eight hundred and thirty-two, wines, the produce of France, shall be admitted into the United States on paying duties not exceeding the following rates on the gallon, (such as is at present used in the United States), that is to say: six cents for red wine in casks, ten cents for white wine in casks, and twenty-two cents for wine of all sorts in bottles.

[*Approved July* 13, 1832.]

On the same day that the president approved the bill just above mentioned, (*July* 13, 1832), he issued his proclamation, saying that "the *ratifications*, [*of the treaty*] *were this day exchanged*, at the city of Washington, by Messrs. Livingston and Sururier.

Why the *law* of the 13th July, 1832, was retrospective as to the duties payable on French wines, and reduced them to the rates stipulated for in the *treaty* from the 2d *Feburary*, 1832, we cannot conjecture. The president's proclamation says the ratificatious were exchanged on the 13th *July*, THE DATE ALSO OF THE LAW; and they could not have been "exchanged" at a previous date, *because of the want of that law;* and hence we are entirely in the dark as to the reason why the draft for the first instalment was made payable on the 2d *February*, instead of the 13th *July*, ensuing.

There is another thing, however, which has a singular appearance. The *treaty* provides that the "ratifications *shall* be exchanged, at Washington, in the space of eighth months, or sooner, if possible." The date of the treaty is *July* 4, 1831—and, to *February* 2, 1832, is less than seven months: but the *law* to reduce the duty on French wines, as stipulated in the treaty, was approved only on the 13th *July*, and the president's *proclamation* of the same date, says that the ratifications were exchanged on *that* very day—or more than twelve months after the signing of the treaty. Has the treaty then died a "natural death?" or, was there some other "convention" to keep it alive?

All these things may be easily explained, perhaps—but they have an extraordinary aspect; and why the *manner* of the draft was adopted, or indeed why it was *made at all*, we are altogether at a loss to guess.

We suspected a *possibility* that our insertion of the *law* and *proclamation* above alluded to might be incorrect—though almost certain that both were copied from the *official* paper, "The Globe," because that we make it a standing rule to use official publications whenever attainable; and, for that reason, have caused the law and the proclamation, as inserted in the REGISTER, to be examined by the official publications of them in the "Baltimore Republican," by a competent person—who reports, that the *time* of approving the law, and of publishing the proclamation, are correct—viz: *July* 13, 1832; and that the words "second day of February," as given in the law—and those, that the "ratifications [of the treaty] were *this day* exchanged," in the proclamation—are also correctly inserted. And it will have been observed, that the president in his message to congress of December 6, 1831, said—that the treaty required "legislative acts" which "must have the concurrence of both houses, *before* it can be carried into effect." But by the date of the draft, the treaty, it seems, was thought to be in "effect," four months, and more, *before* the passage of the law.

*The president, in his message to congress, of December 6, 1831, said—"In my message at the opening of the last session of congress, I expressed a confident hope that the justice of our claims upon France, urged as they were with perseverance and signal ability by our minister there, would finally be acknowledged. This hope has been realised. A treaty has been signed, which will immediately be laid before the senate, for its approbation; and which, containing stipulations that require *legislative acts, must have the concurrence of both houses before it can be carried into effect.*"

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THE CHOLERA. During the week endind 15th May, four deaths by cholera happened at *Cincinnati*.

The *Natchez Courier*, of the 3d inst. in noticing the health of that city, says—The number of deaths within the limits of the city during the past week, is 9, two whites and seven blacks—three by cholera; one white and two blacks. The white person was Saml. Jacobs, Mr. Franklin's overseer, the person who was supposed to have had the principal hand in putting the bodies of the negroes, reported last week, into the bayou. His case was reported "cholera asphyxia and intemperance."

At the last accounts, the cholera was still raging at *Vicksburg*, (Mississippi,) with great violence. Forty cases had occurred in that town, in the week ending at sunrise on the 9th ult. of which 17 had proved fatal. In the last 48 hours of the term, there had been 24 cases and 8 deaths. On the 9th May, however, there was no new case reported. From this it was hoped that the disease had reached its height, and was abating.

*Nashville, May* 13. "No new case of cholera since our last."

*Wheeling, May* 21. The board of health proclaims the existence of the cholera in this town—but says that it is confined to a particular quarter, near the market house—16 cases were known since the 16th of May, 7 of which had proved fatal. There were 13 new cases between the 21st and 24th of May, of which 2 had proved fatal, 3 were doubtful, 7 convalescent, and 1 recovered.

*New Orleans, May* 8. "That this dreaded disease [the cholera] does exist in this city, that the cases, almost without exception, terminate fatally, and that it is gradually though slowly on the increase, are facts not to be doubted."

*St. Louis, May* 11. We feel it our duty to state our belief of the existence of the cholera within the limits of our city. The disease made its first appearance on persons on board of steamboats, arriving at this place, where it was probably contracted, and thence has extended to the town. We have not learned the number of cases that have been, but from the information in our power do not believe it to be great—at least not sufficiently so to excite any terror or panic in the minds of the rational and experienced.

It is added in a postscript—We have the gratification of stating that there have been no new cases, within the city, since yesterday morning.

cholera, from St. L—

*On the Mississippi.* The cholera is the disappearance of the almost every steamboat on the Mississippi, causing many deaths.

In *Ireland*, a good many cases of cholera appear in Cork, Kerry, &c. A belief is stated that some yet happen in every country in Europe in which this disease had been introduced.

Nine persons in one family, in the county of Cork, Ireland, died in the space of five hours—and two other inmates speedily followed them! It was terrible in Limerick.

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THE "OPPRESSED SOUTH." We mentioned in our last the sale of a crop of *tobacco*, at Richmond, at the average price of $12 16 per 100 lbs. The Petersburg Intelligencer of the 24th ult. has an account of the following sales of "crops" at the different warehouses in that town, on the 22nd.

| | |
|---|---|
| Crop of 12 hhds | $10 00 average. |
| 4 hhds | 12 00 |
| 2 hhds | 12 00 |
| 8 hhds | 10 34 |
| 6 hhds | 9 87½ |
| 15 hhds | 10 42 |

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An extensive factory of *cotton seed oil* has been established at Natchez, and others are about to be built at Mobile, Florence, &c. It is stated that one bushel of seed yields three quarts of oil, and that from 1,000 to 2,000 gallons can be made at the Natchez factory. This oil is used for making paints—and, being refined, will burn as well in lamps as sperm oil, without the disagreeable smell which the latter sometimes emits. It is added, that the "cake is the very best food for stock." Thus an article which has been thrown away, is about to yield large sums to the cotton planters; with which we are much gratified, except in a fear that it may tend to injure the sperm whale fishery, which, as a nursery for seamen, and for other reasons, is among the most important branches of the industry of the people of the United States. The persons employed in this fishery are the ablest and the best seamen in the world, whether engaged in works of peace, or the business of war—sober and steady, brave and faithful.

The building at Natchez is eighty-four feet by eighty, one and a half story high, and contains a steam engine of 23½ inch cylinder, and five feet stroke, driving eight hulling machines, five setts of stones, and a machine to prepare and grind the seed for heating; eight cylinders for heating the meal, and seven lever presses are in preparation, to carry on the business with despatch, and to the saving of manual labor.

Similar mills are building at Petersburg, Virginia, &c.

☞ Another "notion"—*rice threshing machines*, are in operation at or near Savannah. The Georgian says—"One of the certificates from a gentleman who has been using one for some time, states, that he has threshed 350 bushels per day, by the power of four mules; and another, who has two driven by [illegible] power, that they turn out 700 bushels per day, winnowed at the same time.

"We have no doubt, from what we understand, that they will be generally used on all the plantations in preference to the flail, from its saving of labor and the clear manner in which the rice is taken from the straw. It is an admirable invention, and the inventor merits every credit."

"ANTI-NULLIFICATION!" From the correspondence of the Portland Evening Advertiser, dated Montgomery, Alabama, April 12. "I have omitted to mention the great number of emigrants whom I have passed. It would seem as if North and South Carolina were pouring forth their population in swarms. Perhaps I have gone by in the Creek nation over three thousand persons, all emigrating, including negroes of course. The fires of their encampments made the woods blaze in all directions. The lands of the Carolinians are being exhausted, and as there, the art of nourishing and invigorating lands is little practised upon, the planters are going to an untilled and to a more fertile country. Politics in South Carolina have had much to do in accelerating this emigration. From Georgia there has been less, hence large parts of Georgia are yet wild. The Cherokees are said to have some of the finest lands in that state, which Georgian cupidity is thirsting for with an insatiable passion. The gold fever and the land lotteries also do much towards retaining the population of Georgia, but the people will soon sweep over the Chattahoochie, and, after settling on the best lands in the Creek nation, presently to be in the market, they will fill Alabama. Alabama, I should judge from what I have seen, is a fine and a growing state. *The white people work.* That is a good sign. They work in the fields. Negroes are scarce. *And hence, perhaps, in part, the fine plantations I have spoken of before. Keep off the negroes; thin them off—and this people must be great, powerful, rich, for the sky and earth vie in bestowing upon the people the best of climates and the best of soil.*"

R[illegible] have been received [illegible] much regret, that ment, to reduce the wages of the artisans employed in the armory at Harper's Ferry 25 per cent. This is a serious event to the working citizens of that place—indeed it may be termed a calamity. We have not been in the habit of saying much in favor of the present administration, but really we feel confident that a reconsideration of this measure would move the authorities at Washington to a prompt and cheerful reversal of the order. We cannot believe that the president will suffer so large a body of useful and meritorious men to be reduced to a condition of absolute and fruitless drudgery.

[*Charlestown, (Va.) Free Press.*

☞That there will be a general and heavy reduction of wages, we certainly expect. At many establishments, they have already been made—but *twenty five per cent.* is severe! One dollar and fifty cents a week deducted from the six dollars heretofore obtained for the support of a poor man's family, will deprive it of all the little comforts which the husband and father obtained for them by his labor. One or two dollars a week does not seem much to persons even in moderate circumstances, or possessed of some little capital in business—but is a large sum indeed, to those whose only capital is in the labor which they are able to perform.

GOLD. Three lumps—one weighing 10 dwts. a second 30 dwts. and the third "as large as a hen's egg," were lately found at Amaria, Geo. the latter by an Indian girl, who carefully concealed it.

NEW ORLEANS SUGAR. We are not a little surprised at the falling off of the exports of sugar from New Orleans within the last two or three years. The New Orleans Price Current of the 20th gives the following exports:

| | | |
|---|---|---|
| From Oct. 1, to April 20, | 21,403 hhds. | 1,952 bbls. |
| Same time last year, | 26,850 hhds. | 1,995 bbls. |
| Same, year before, | 36,811 hhds. | 1,962 bbls. |

Thus it appears that the quantity exported is about 5,000 hhds. less than last year, and 15,000 less than the year previous. The surplus taken up the river, and through the lake to Mobile, is not taken into account, unless the increased consumption and the export up the river will account for the deficiency.

TIME AND SPACE.

*Philadelphia and Norfolk, &c.* Mails are now made up at Philadelphia, on Mondays, Wednesdays and Fridays, for Norfolk and Petersburg, on which days the Citizens' union, or rail road, line is met by the Norfolk steamboat, from Baltimore, at or near the mouth of the Patapsco, and the mails and passengers transferred—and thus they reach Norfolk at 7 A. M. on Tuesdays, Thursdays and Saturdays—being only about 25 hours from Philadelphia, or 33 from New York: A boat leaves Norfolk, and, in like manner, meets the boat from Baltimore in Hampton Roads, and proceeds for Petersburg and Richmond, arriving at 4 or 5 o'clock, on the days last above given—say about 35 hours from Philadelphia, or 43 from New York, to Petersburg or Richmond. Thus a person may take an early breakfast in Philadelphia, and a late dinner, on the following day, in Richmond. This seems "rapid" enough.

*Baltimore and New York.* On Monday last, an evening rail road line was started between Philadelphia and Baltimore, by which passengers from New York reach Baltimore at 10 or 11 o'clock in the evening—or 16 or 17 hours. We now have the New York morning, and the Philadelphia evening papers, on the days of their publication. It seems hardly possible that a person may now breakfast in New York, dine in Philadelphia, and sup in Baltimore, in regular order. But any man may.

*Philadelphia and Baltimore.* A great deal of activity and zeal is displayed concerning the continuous rail road between these cities, as mentioned in our last. It seems rendered almost certain that it will be made. We wish that it were *constitutional* in the government of the United States to provide for the safe and speedy transportation of the mails!!! And so it is—that if the mails go on to increase as they have done for a few years past—we shall be compelled to amend the constitution, or leave some of them behind until the frost is completely out of the earth, in every spring, or employ many wagons to navigate through the mud.

*More rail roads.* We noticed in our last the bright prospect of a line of rail roads from Washington to New York. Books are about to be opened for subscriptions of stock to make a road from Philadelphia, through Lancaster to Middletown, Pa. with the idea of extending it to the Ohio, in due season.

*The Morris canal,* which unites the waters of Pennsylvania with those of New York, is in full operation, and doing a large business.

☞The elasticity and warmth of the character of the American people, may happily correct the torpidity and coldness of their general government.

*Dismal Swamp canal.* We have the following in the Norfolk Herald of the 22nd ult.

Arrivals through the canal in April, 1833:

| | |
|---|---|
| Schooners and sloops, loaded | 146 |
| Rafts of timber | 14 |
| | 15 |
| Returned, partly loaded: | |
| Schooners and sloops | |
| Lighters | 126 |
| | 15 |

*Chesapeake and Ohio Canal. Georgetown, May 24.* It is with real pleasure we announce that the canal and locks, as far as the eye can reach from Georgetown towards Crommelin, is literally covered with boats as close as they can stow, filled with flour and other produce. Not less than 15,000 barrels passed through the locks into the basin yesterday—more than 150 boats, it is said, were above the town, coming down. [*Gazette.*

*The secretary of the navy* has returned to Washington from his long excursion, of which the Globe gives the following account:

"We learn from a gentleman who accompanied him on his whole journey to our southern naval stations, that the secretary was absent *fifty-two* days, of which nineteen were spent in stops at different cities, and in the examination of the various public works connected with the navy and on maritime defences at the south, leaving only 33 days for travelling. It is a strong illustration of the conveniences and rapidity of communication through

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a large portion of the new and unsettled parts of our union, that during these 33 days he travelled a distance, in all, exceeding 4,200 miles—being equal to one-sixth of the circumference of the earth, and at an average rate of about 130 miles per day."

SALES OF WOOL, AT BOSTON. Great sales of wool took place at Boston, last week. They were attended by a large number of manufacturers and dealers. The catalogue, (says the Centinel), contained over 100,000 lbs. of fleece wool of very desirable qualities; 70,000 lbs. Nos. 1 and 2, pulled; 15,000 lbs. imported Saxony; 40,000 lbs. Spanish sheep and lamb's; 500 bales Buenos Ayres and Montevideo; 200 bales washed and unwashed Smyrna; besides several smaller parcels of coarse foreign wool. Notwithstanding the sale was fully attended and the wool advertised was of the most desirable kinds, there was but little spirit manifested, and only a very small portion of the wool was disposed of, prices considerably below the expectations of owners. We notice the following as the principal sales which were made, viz: 12,000 lbs. fleeces from ¼ to ¾ blood merino, 43 a 45 cents; 3,000 lbs. ¾, to full blood merinos 53 cents; 10,000 lbs. selected full blood merino and Saxony fleeces 62½ cents; 3,400 lbs. very good No. 2, pulled lambs at 41 cents; 18,000 lbs. No. 1, pulled, at 44 a 48 cents; 2,500 lbs. imported Saxony 80 cents; 5,000 lbs. do. do. 106½ cents; 4,500 do. do. 130 cents; 15 bales Spanish sheep's R. at 85 a 87 cents; 5 bales do. do. R. R. inferior, 77½ cents; 5 bales Spanish lamb's at 77 cents; 20 do. do. at 60 cents; 1 bale Saxony lamb's 93 cents, 10 bales unwashed Smyrna 18 cents; 10 do. do. very dirty 12 cents; 10 bales washed Barbary wool 26 cents, 300 bales fair Buenos Ayres 9 a 11½ cents; 8 do. do. very inferior, at 6½ cents; 10 bales Constantinople at 16 cents; 27 bales mohair 44 a 48 cents. The low prices, in general, which were obtained, may be attributed mainly to the fact, that shearing is near at hand, at which it is expected there will be an unusually large clip.

The "Boston Gazette" adds—Since our report on the 24th inst. of the auction sale of this article, [wool] on the preceding day, there has been great activity in the market, and we learn that a large proportion of that which was withdrawn, (on account of the reluctance of manufacturers to purchase at *public* sale, under an impression that the prices would have an influence upon the article at shearing time), has been taken, by private contract, at the following advanced rates; ranging higher for each description than any sales for many months, embracing

| | | |
|---|---|---|
| 8,000 lbs. | New York pulled lamb's, at | 50 cts. 6 mo. |
| 6,500 " | ¼ to ¾ blood fleece, | 55 " |
| 2,500 " | No. 1, lamb's, pulled in this vicinity, | 52½ " |
| 1,200 " | superfine lamb's, do. | 60 " |
| 4,000 " | New York pulled No. 1 lamb's, | 50 " |
| 12,000 " | grade full blood and Saxony fleece, | 64 " |
| 700 " | full blood and Saxony fleece, | 75 " |
| 4,000 " | full blood, grade and Saxony, | 64 " |
| 6,000 " | New York pulled No. 1 lamb's (ordinary) | 46 " |
| 7,000 " | Philadelphia do. do. | 48½ " |

Baring, Brothers & Co. write from London under date of April 6th, that "Woollens are advancing and wool high and quick, and not two months' stock in the kingdom for the manufacturers."

☞These are "fair" if not *high* prices; and, if *continued*, may do "very well."

THE LATE FLOODS. It is supposed that $200,000 worth of lumber have been lost in the Delaware, alone, by the late flood.

The Ohio was *forty three feet* above low water mark at Cincinnati about the 20th ult. and much damage had been done to fences, and the crops on the bottom lands.

There has been a great rise in the waters of the *Kentucky* river—which was also just then visited by large numbers of huge *cat fish*. The Frankfort Commentator says that one was caught which weighed *ninety* pounds, another *forty*, &c.

GREAT NATIONAL WORK. We are much gratified to learn that col. *McKenney's* history of the Indian tribes of North America, &c. (the publication of which was suspended because of the embarrassments of Mr. Bradford, who had a claim on the copy right), will speedily [illegible] Philadelphia, being the publishers.

"The title of this work is a "*History of the Indian Tribes of North America, with Biographical Sketches and Anecdotes of the Principal Chiefs—embellished with one hundred and twenty portraits, from the Indian gallery in the department of war, at Washington.*"

"The tribes represented in the gallery are eighteen in number, viz: Chippewas, (or Objibwa), Sioux, Menomonee, Winnebago, Sauk, Fox, Otto, Pawnees, Maha, Kansas, Seneca, Shawnee, Delaware, Creek, (or Muscogee), Uchee, Cherokee, Choctaw, (or Chata) and Seminole.

"It is proposed to publish the work in twenty numbers, each to contain 6 heads. The impression will be on fine thick paper, corresponding to the value and size of the work, and to its intended perpetuity.

"An essay suited to such a work, and calculated to throw a light upon the history of this interesting people, will accompany the first number; and as materials will authorise it, the remaining numbers will be interspersed with biographical sketches, and anecdotes of the originals, and with vocabularies."

The original drawings were made from life, chiefly by Mr. King, of Washington, and are perfect likenesses.

"A map of the country will be carefully prepared, and the location of the several tribes represented in the publication, noted upon it."

It is believed "that there no where exists such materials for a work so unique, so interesting, and in all that regards the aborigines of America, so authentic and instructive. Its great value as it regards the United States, can be appreciated properly, perhaps, only by posterity; because the Indians, though thinned and scattered, are yet amongst us. Europe, it is believed, is prepared now to put the proper estimate upon the work. In order, therefore, that countries other than our own, may enjoy the gratification of beholding the red men of our forests, in their almost breathing likenesses, and in their native, and varied and singular costumes, arrangements will be made for publishing the work simultaneously in Europe.

"The price to subscribers for each number will be six dollars, to be paid on delivery."

We heartily wish success to this great undertaking, and trust that the execution of the work will be at once honorable to our country, and profitable to the publishers.

TRIAL OF MAGISTRATES. The mayor and aldermen of Boston were lately presented and tried, for having omitted to make a return of the votes given to Mr. Odiorne, the anti masonic candidate for congress. The omission seems to have been purely accidental; it had not, nor could it have had, any effect on the result, nor was moral turpitude imputed—and *political effect*, only, seems to have been regarded in this prosecution. It is hardly necessary to add that the jury found a verdict of not guilty.

"YANKEE NOTIONS." The "Boston Atlas" says—The amount in the hands of the committee for the benefit of the institution for the blind, is, we learn, $64,200.

| | |
|---|---|
| Subscribed by individuals - - - - - | $35,000 |
| Received from the ladies fair - - - - - | 11,400 |
| From Salem, &c. - - - - - | 4,200 |
| Given annually by the state - - - - - | 3,300 |
| On hand previously - - - - - | 5,500 |
| Subscribed in Hartford - - - - - - | 1,200 |

The citizens of Hartford have also pledged themselves to furnish the sum of $1,200 a year for three years, which makes the aggregate $64,200. The condition on which the gift of col. Perkins was based, has therefore been fulfilled by the liberality of the public, before the expiration of the time limited by his offer. The original proprietors of the asylum never could have anticipated so brilliant a termination of their labours.

[Here is true "chivalry"—within the sound of a halloo from *Faneuil Hall*, the "cradle of liberty," or BUNKER'S HILL.]

MORE "NOTIONS." In a late number of the "Military and Naval Magazine," we find an interesting notice of the old American frigate *Alliance;* from which it appears that, at the close of the revolutionary war, she was sold by the government, and purchased by Robert Morris; captain Green, with commodore Dale, in the capacity of chief mate, made the first voyage from Philadelphia to China, that ever was attempted. Little did they suppose at the time they started, that a small craft from Salem was on her way before them; but such was the fact; for on their arrival in the Indian ocean, they fell in with a small Yankee schooner, and on hailing her were answered, "from Salem." Captain Green inquired what charts they had; the answer was, "*None, for there were none to be had, but have Guthrie's Grammar.*" This passage was performed out of season, and it is believed to have been the first ever made outside of New Holland by an American.

According to the Philadelphia Chronicle—the Alliance, after all her wonderful escapes from the enemy, and long and perilous voyages, died a natural death in that port, and her bones lay on Smith's Island, opposite the city, where she is used as a tavern, and is in excellent preservation. [*Amer.*

FOREIGN PAUPERS. There were in the almshouse, Boston, on the 15th ult. 160 white men and 134 white women, 62 white boys and 59 white girls and 29 colored persons. Total 256 Of the adult males 88 are foreigners—[illegible] females 65 are foreigners, 36 Irish—of the children 105 are of foreign parents. So that of the whole number in the almshouse, 464, no less than 258, or considerably more than one-half are as foreigners. And this too, in Massachusetts, where the proportion of such persons is small—and so also is the general proportion of *native* paupers.

GERMAN EMIGRANTS. Baltimore appears to be a favorite point of debarkation to the emigrants from Germany. The New York Gazette has the following statement of the number of emigrants which departed last year from the single port of Bremen for the United States. Of the whole number it will be seen that three-fourths came to this city.

| | |
|---|---|
| To Baltimore, in 60 vessels, - - - - - | 7,364 |
| New York, in 25 vessels, - - - - - | 2,036 |
| Philadelphia, - - - - - | 285 |
| Charleston, S. C. - - - - - | 97 |
| New Orleans, - - - - - | 20 |
| Total, - - - - - | 9,802 |

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APPROPRIATIONS. The appropriations made at the last session of congress, were briefly as follows:

| | |
|---|---|
| Civil list for 1833 | $2,897,487 90 |
| Military service do. | 4,966,036 40 |
| Pensions do. | 628,917 00 |
| Naval service do. | 3,860,963 28 |
| Indian department, treaties, annuities, &c. | 2,206,696 76 |
| Improvements of harbors, rivers and roads and surveys | 1,086,993 30 |
| Public buildings and grounds, penitentiary, &c. | 89,869 00 |
| Miscellaneous | 733,880 00 |
| Private claims | 30,021 19 |
| Amount of definite appropriations made 2d session 22d congress | $16,500,864 83 |

AMERICAN SUNDAY SCHOOL UNION. This institution held its ninth anniversary in Philadelphia on Tuesday afternoon. The president, Alexander Henry, esq. presided. The reverend Dr. Spring, of this city, commenced the exercises with prayer. The annual report was read by the secretary—from this document we learn the following facts:

There are about 14,550 schools, with 760,000 scholars, in connexion with the union.

Last year the increase was 1,600 schools, 12,000 teachers, 84,000 scholars.

Twenty thousand teachers and thirty thousand scholars have joined churches.

The publications have rapidly increased, 500,000 copies of one work have been circulated.

The establishment of Sunday schools in the valley of the Mississippi has been prosecuted, of which there are 4,245, and last year gave an addition of 1,328; to these 500,000 copies of books have been sent. The expenditure has been about $73,366, of which some states gave from $5,000 to $10,000, while one state (Illinois), contributed $1 00.

The operations of the union have been extended to Calcutta and Canton, and also to the Sandwich Islands. The pecuniary pressure upon the citizens last year was felt by the society, and $30,000 were borrowed upon individual responsibility.

The report set forth the entire harmony of various Christian denominations engaged in the work, and the books were calculated to preserve that harmony.

The report closed with a recommendation that all friends of Sunday schools should, on Thursday the 4th of July next, take measures to commence or improve the work of Sunday instruction in their neighborhood.

The expenditures during the year, chiefly in books, amounted to $127,379 55. Addresses were made by the rev. G. Perry, of the Baptist church, Philadelphia; Gerrit Smith, esq. of Petersboro', New York; rev. Dr. Milnor, of the Episcopal church, New York; hon. P. D. Vroom, of the Reformed Dutch church, New Jersey; rev. Mr. Cowles, of the Baptist church; rev. Mr. Plummer, of the Presbyterian church, Virginia, and the rev. Mr. Chickering, of Massachusetts.

RECEIPTS OF BENEVOLENT INSTITUTIONS. From the various reports made at the recent anniversary meetings in New York, it appears that the receipts of some of the principal societies for the last year have been as follows:

| | |
|---|---|
| American Bible society | $84,935 48 |
| American Tract do. | 62,443 50 |
| Presbyterian education do. | 24,014 56 |
| American home missionary do. | 68,621 17 |
| seamen's friend do. | 9,226 00 |
| N. Y. deaf and dumb institution | 15,752 53 |
| Total | $261,993 24 |

COTTON SPINNING. The following account of the cotton spinning business, is taken from the Glasgow Chronicle of a late date; it cannot fail to prove important, both to our manufacturers and cotton growers.

1. *France.*—In 1831, cotton spun 74,000,000 lbs. besides the British yarn smuggled through Flanders. Average wages of spinners 5s. 8d. Hours of labor 12 to 14 hours.

2. *Switzerland.*—In 1831, cotton spun 18,816,000 lbs. No. 40 costs 14½d. when cotton is 8 3-5d. Wages 4s. 5d. Wages in similar mills in Britain 8s. 4d. Swiss goods are successfully sold in South America in competition with British.

3. *Prussian and Rhenish provinces.*—In 1830, cotton spun 7,000,000 lbs. Power looms have been profitably introduced.

4. *Saxony.*—Cotton spinning just commencing, but fast augmenting. In 1831, cotton spun 1,200,000 lbs. Average wages 3s. 6d. They spin as cheap as the British, as high as No. 50 warp, and No. 80 weft.

5. *Lombardy.*—In 1831, cotton spun 4,000,000 lbs.

6. *Austria.*—Fast advancing. In 1831, 12,000,000 lbs. Average wages 3s. 9d.

7. *India.*—The new mill, 12 miles above Calcutta, works every day, 91 hours in the week. Spinner managing one mule earns 1s. 9d. His piecers (three in number) 9d. to 12d. each. No. 20 to No. 40.

8. *United States.*—In 1831, cotton spun 77,550,000 lbs.

These facts corroborate, beyond the range of rational dispute, the opinions which we have never ceased to inculcate, not merely that any further interference with the hours of adult labor in Britain is out of the question, but that, if the corn laws be not shortly repealed, our cotton trade will be ruined.

A LITTLE OF THE OLD LEAVEN. The following, addressed to the editors of the Salem Gazette, we hope, will receive the attention of government. *Obsta principiis!* The British *must* not be permitted to decide upon the character of seamen who sail under the "starry banner." We had enough of that.

*Gentlemen*—By publishing the following facts you will oblige the subscriber, and perhaps render a service to merchants who send their vessels to the Brazils. The ship London Packet, of Boston, put into Bahia in distress, being short of men, wanting repairs and provisions. Soon after her arrival, two men deserted, one an American the other an Irishman. They both signed the shipping articles to proceed the voyage, and were not to receive any part of their wages until the arrival of the ship at her port of discharge, at the city of Boston. The deserters called on Mr. Parkinson, the *British consul*, at Bahia, for assistance. He sent his clerk with the sailors, to bring a suit against the ship. I was summoned to appear before the judge. I handed the judge the shipping articles. One of the men being a landsman, had engaged for ten dollars per month, yet he was allowed to sue for the highest wages given to the best seamen. The judge decreed that I must deposite the sum of two hundred and sixty-three dollars to answer the decision of the court, or the ship would not be permitted to sail. The trial did not commence until after I had sailed. I have, within a few days, received a letter from Gilmer & Co. merchants at Bahia, informing me that the supreme court has given their decision against the ship. B. K. CHURCHILL.

*Salem, May* 14, 1833.

THE KEMBLES. The Boston Globe of the 17th May, said—Mr. *Kemble* had a splendid benefit last evening. The house was crowded to overflowing. The *Gamester* was played with even more ability than at the first representation. The Kembles have played 25 nights, and took half the gross receipts and half the premiums. The whole sum paid them must amount to at least $8,300, including their moiety of the premiums, which was $1,200. The gross receipts of the theatre could not have been less than fifteen thousand dollars. "As the curtain was about dropping, Mr. Kemble, anticipating the call of the audience, led his daughter forward, and in a brief but neat and feeling address, expressed, in his own and daughter's behalf, their grateful sense of the brilliant support which they had received in Boston, during their engagement, which had now terminated"—and he hoped they would have another opportunity of making their acknowledgments. He concluded by bidding his audience farewell, which was responded to by rounds of applause and cheers.

And the Boston Transcript gave quite a *melting* account of the departure of Fanny, "the peerless." A great crowd collected to see her depart, and pretty girls presented her with flowers; but she escaped through a private door, and was sometime on the road, before, (alack and alas!) it was discovered that she had gone.

NANTUCKET. This interesting little island is said to be in a very prosperous state; and the value of some of the town lots has increased 50 per cent. in the last five years. Its industry and enterprise extracts "the *oil* of gladness and rejoicing," from the distant and deep ocean.

WELLSBURG, VA. is a thriving town, in the western part of the state. From the "Gazette," published there, we abstract the following:

Many new houses are building. There is a cotton factory, with a front of 72 feet, and 4 stories high—now running 1,200 spindles and employing 52 persons: a saw mill which can cut 3,000 feet in 12 hours: a white flint glass works, employing 30 persons, to which is attached a cutting establishment: a large stoneware manufactory: a woollen factory: a carding machine, and carpet factory, &c. and a [illegible] manufactory. The population is between 1,200 and 1,300; and a branch of the Western bank of Virginia is located at Wellsburg. The neighborhood is rich and cheerful, and rapidly improving—the people feeling the benefit of the home market.

GEORGIA. The Milledgeville Journal of May 16, says—Major *Joel Crawford*, of Hancock county, was, on Tuesday evening last, unanimously nominated as a candidate for governor at the ensuing election, by a large and respectable meeting of the members of the *Troup* party, from all parts of the state.

CUBA. Mr. Magneen, of Glasgow, who has been making the tour of the British and foreign West Indies, states, in a letter to the editor of the *Glasgow Courier*, that "Cuba is increasing in importance quite incredibly. I hold in my hands," says he, "most valuable returns of that Island, and also Porto Rico. The crop of Cuba in one article, sugar exported in 1830, was in round numbers 196,000,000 lbs. and the increase of the slave population by importation, was in (1828 and 1829) two years, 179,000! Porto Rico is rapidly rising into importance. An immense African slave trade is carried on through the island of St. Thomas, to supply that island and Cuba with Africans. Ten, and even

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twelve, African slave ships may be seen in the harbor of St. Thomas together, taking their African cargoes, and frequently waiting the arrival of ships from Liverpool and the Clyde with the articles which are necessary to complete them."

## FOREIGN NEWS.

*From Paris papers to the 17th April.*

The prisons of Frankfort, in *Germany*, are filled with persons arrested for political offences, or on account of the late commotion in that city. There was a rumor at Paris that a general insurrection had suddenly broken out in the Grand Duchy of Baden, in which three regiments of the line had embarked; and that these had been joined by a large body of Polish emigrants, who had fled from the several depots in France. The Poles are said to have been well supplied with money. It is added that Hesse Cassel was seriously disturbed. A very large number of Germans had arrived in France on their way to the United States—generally from Bavaria, and many of them persons of what is called the "better classes."

Every thing yet remained quiet in *France*. At the close of the session of the chamber of deputies on the 14th of April, gen. Lafayette, accompanied by many of the members, waited upon M. de Broglie, to intercede for 423 Poles who had left the place assigned them, and who, by their departure, had brought themselves under the rigor of the ordinances of the government. The general spoke with great energy in their justification, and explained their motives. M. de Broglie is said to have promised to use his influence to mitigate the penalties they had incurred.

A committee has been raised in this chamber to examine the project of a law relative to the treaty with the United States.

The London Globe announces that it is the intention of the Irish government to enforce the provisions of the suppression bill, as well against the conservative party as against the agitators.

The affairs of *Turkey* have assumed a very serious character. Mehemed Ali declines foreign interference in his affairs. We do not hear of any further proceedings to *protect* the sultan.

Trouble is said to have broken out in Constantinople, and Ibrahim is reported to be again in the occupation of Smyrna. From Janina they write, that the European fleets stationed in the Archipelago have received orders to sail for the Dardanelles.

There is nothing new or important from *Spain*, *Portugal* or the *Netherlands*.

A letter dated Para, (Brazil), April 29, received in New York, says that the regency at Rio Janeiro had sent on to Para a new governor, who, on attempting to take the reins of government, was opposed by the mob. An engagement ensued, which continued from the 16th to the 18th ult. when upwards of 100 were killed, and a great many wounded. All the foreign vessels in port were chartered to take away persons and property, some proceeding to Maranham and others to Lisbon. The new governor, failing to effect his object, left the place, and took passage for Maranham.

Another, received in Boston, says—"On the 16th April, all business ceased; every mercantile house, as well as every dwelling house, was shut up, and many of the Portuguese and their families embarked on board the shipping in port. Things remained in a dreadful state of suspense until the 18th, when an open rupture took place. The president caused arms to be distributed amongst the mob, mostly blacks and mulattoes, and 'kill the Portuguese,' resounded through the streets of Para. A scene of horrid slaughter ensued. Men were hunted like wild beasts, and shot down with less regret. For two days, the city presented a scene too shocking to behold—too barbarously brutal to be believed of a Christian people. When they had sacrificed all the Portuguese that were to be found, carts were sent round the city, and the dead bodies conveyed away and tumbled promiscuously into a common grave."

It is said that an insurrection of the slaves has broken out at *Demarara*. A letter from the interior of Jamaica, dated 19 April, says the weather had been dreadful, the crop will not be half an average one. Negro grounds burnt up—not a spear of grass.

—

We have some further items by an arrival from England.

An "ample reform" of the church of *England*, it is said, will be brought forward by the ministers.

The price of *iron* advances in England. Many petitions were still presented for the abolition of *negro slavery*. 3 per cent. consols 87½—business at the stock exchange, dull. There were rumors of a change in the ministry—they do not seem relied on.

Mr. Cobbett's son got 89 votes to represent parliament, from Coventry! Mr. Ellice had 1,509, and Mr. Thomas 1,206.

The "Irish Volunteers" have been dissolved—by proclamation. Outrages were still committed, and strong measures arranged to check them.

A grand "resurrection" in *Germany* seems to have been contemplated, and was yet apprehended. The plot exploded at Frankfort before its time. Young men seem to have been principally engaged in it. The Poles, in France, appear to have been generally informed of the intended proceedings. Perhaps, it is so said to oppress or expel them. An explosion is expected in *Switzerland*.

An "excitement" among the workmen is said to exist at Lyons, in *France*. The duchess of Berri is to be set at liberty, after her *confinement*. Admiral Roussin has requested that a French fleet may be immediately sent to the Dardanelles.

The affairs of *Holland* and *Belgium* are still in—negotiation.

Don Pedro had received considerable supplies at *Oporto*, and was preparing for offensive operations.

*Greece* seems to be settling down into some degree of quietness. Most of the chiefs had acknowledged the new king. A letter from Nauplia states, that among the decrees which have lately been promulgated by the Greek government is one which enjoins all Greeks, who are of age, to take the following oath: "I swear by the holy trinity, and on the holy gospel of Christ, to be faithful to my king, Otho, and to be obedient to the laws of Greece."

The apostolicals attempted an insurrection at Saragossa, in *Spain*—but they failed. A great deal of political intrigue is going on. Many distinguished persons had been banished from Madrid. The king has issued a decree, requiring that the provinces shall appoint deputies to pay *homage* to his daughter, as heiress apparent, in default of male issue. The *august baby* is a year or two old, we believe!

## REMOVALS—OR "REFORMS."

The general, and rude and abominable denunciations which had lately been poured out by the "Globe," led us to expect that a common sweep of persons in office, at Washington, was intended—for "coming events cast their shadows before." The "Telegraph" asserted from 100 to 150 names were on a proscribed list, and added, that it had "the sanction of the president"—saying, however, that all the heads of departments had not approved it.

We shall simply record certain of the things which have been published.

*Extract from the Globe, of the 21st May.*

"To deny that there are not *among your* friends* a sufficient number of talented, experienced and efficient men to perform the duties required of public functionaries, would, indeed, be paying but a poor compliment to those *by whom you were elected*. If your friends are equally competent with your enemies, *it is difficult to conceive why* they are not brought into general requisition. Your opponents have charged you with proscription; if the charge be true, one would suppose from the number of political and personal enemies who are permitted to retain office, that it is rather *a proscription of your friends* than your enemies.

"The people are inclined by grateful feeling and by every consideration connected with your weighty and engrossing duties to bear DISAPPOINTMENT from one who deservedly occupies so large a space in their affections, but they will naturally become DISSATISFIED with *a continued disregard of their known wishes*. Rumors of reform have from time to time reached the uttermost parts of the union, but *the just expectations* of the nation *have not as yet been entirely fulfilled*."

"Your friends *have a* RIGHT TO EXPECT *that you will come forward* with that magnanimity which is the characteristic of your soul, and tell the American people that you will remove every cause of complaint; that you are determined to redress THE JUST GRIEVANCES of which they complain; that no man shall have your confidence who has not the confidence of your constituents; and that you will no longer retain any individual in office contrary to the public will," &c. &c.

—

*From the National Intelligencer, of May 25.*

*Washington, May 24.*

GENTLEMEN: I have understood that a report has been circulated in this city, that I am one of the signers of a memorial which has been placed before the president, requesting the dismissal of a number of the clerks now in the employ of the government. I feel insulted and indignant at a charge of this description; and those who know me will readily believe that I am one of the last individuals to whom any person would dare to present such a document for signature. Having learned that all those in the public offices who are possessed of any talent, education, or moral worth, are amongst the proscribed, I am proud enough to believe that my name is upon the list, and that this has created the misapprehension. Respectfully, your obedient servant, JAMES R. M. BRYANT.

—

*From the same of May 27.*

The reader will have learnt, from paragraphs and communications in this paper, (another of which, from a worthy neighbor of ours, is published to-day), that a list has been actually made out of persons to be denounced to the executive, for removal from office, and that such a list has been circulated in this city for signatures. We do not know the name of a single individual concerned in this remarkable enterprize, by which a reform is proposed to a greater extent than has been heretofore thought of, justifying all the sinister deductions from the late publications in the official paper in this city, intended to urge the executive to second the views of those professing friends of the administration who are concerned in this project. The list is said to have been placed in the hands of the executive. We have received what purports to be a synopsis of the list, of the correctness of which we cannot be certain, though in general terms assured of it. To show how wide the meditated sweep of the besom of reform is, we annex this synopsis, such as we have seen a copy of it; repeating that we cannot vouch for its accu-

*These matters are addressed to the president of the United States, teaching him what he should do. REG.

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racy, and, also, that we shall cheerfully correct any error in the list itself, or any misapprehension of ours on the subject of it:

REMOVALS TO BE MADE.

*Department of state*—The chief clerk and seven other clerks.
*Treasury*—The chief clerk, and seven other clerks.
*First comptroller's office*—The comptroller himself, his chief clerk, and six other clerks.
*Second comptroller's office*—The chief clerk, and three other clerks.
*First auditor's office*—The auditor himself, his chief clerk, and seven other clerks.
*Second auditor's office*—The chief clerk, and two other clerks.
*Third auditor's office*—The auditor himself and, his chief clerk, and six other clerks.
*Fourth auditor's office*—The chief clerk, and six other clerks.
*Fifth auditor's office*—The auditor himself, and his chief clerk.
*Solicitor of the treasury*—The solicitor himself, and one clerk.
*Treasurer's office*—The chief clerk, and three other clerks.
*Register's office*—The register himself, his chief clerk, and seventeen other clerks.
*Land office*—The chief clerk, and eleven other clerks.
*War office*—The secretary of war, his chief clerk, and eleven other clerks.
*Bounty lands*—One clerk.
*Indian office*—Two clerks.
*Quartermaster general's office*—One clerk.
*Army paymaster general's office*—The paymaster general, his chief clerk, and two other clerks.
*Army subsistence department*—One clerk.
*Army surgeon general*—The surgeon general.
*Navy department*—One clerk.*
*Navy commissioners*—One of the commissioners.
*General post office*—Two of the heads, the chief clerk, and twenty-five other clerks.
And, lastly, the commissioner of the public buildings in Washington.

To most of our readers it will be needless information, but to others it may be useful to state, that a very large proportion of the persons included in the above list are among the most able, faithful, experienced officers, and respectable citizens, that ever have held public employments under the government of the U. States.

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The following is the article alluded to in the preceding—it is addressed to the editors:

GENTLEMEN: Some six or eight days ago, a paper was handed to me for my signature, purporting (as I understood by a hasty perusal), to be, an address from the citizens of Washington to the president of the United States, requesting the president to remove from office, all clerks under government that have and do justify the outrageous attack recently made upon him, by ex-lieutenant Randolph, and all others that have calumniated and abused the president, as well as those of loose, idle and dissipated habits. I signed the paper hastily, without asking any questions, (as my feelings had been recently greatly excited on account of the attack made upon the president by Randolph), much now to my regret, as I understand that additions have been made to the paper, with a list of about one hundred and fifty clerks, among whom are some of our most respectable and worthy citizens, accompanied with charges, &c. which I never knew nor ever heard any thing about. I would sooner thrust my hand into a red hot furnace than to let my name have gone forth to support charges, for proscription, that I never knew nor ever heard any thing of, and I do most cordially hope that those persons engaged in making the additions, and appending a list of the names of clerks, with charges, &c. to the paper, after my signature was had, if clerks, may meet with that rebuke from the president, heads of departments and citizens, generally, that such conduct justly merits; and I do disclaim ever having held any conversation, or had any intercourse at any time directly or indirectly with any of the parties concerned, in any way or shape. S. MURRAY.

*May* 27, 1833.

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*From the National Intelligencer of May* 29.

The article which follows this paragraph was published in the daily National Intelligencer of yesterday. Having reserved it for one day to see whether it would be contradicted in any particular, we now re insert it for the special benefit of our country readers. No error has been pointed out to us in the list except the omission of *the treasurer* of the United States, who is included in the general denunciation, and the insertion of the *secretary of war*, whose name, we are informed, was not on the list of the proscribed, as stated yesterday.

[Then follows the list inserted above.]

—

*From the Globe of May* 28.

The Intelligencer heads an article "Proscription"—gives a list of proscribed officers, and says:

"*We have received what purports to be a synopsis of the list, of the correctness of which we cannot be certain, although in general terms assured of it.*"

We have not seen the list of which the Intelligencer speaks—nor "*the address of the citizens of Washington to the president*," on the subject, of which the "worthy neighbor" of the editor, speaks as being signed by himself; but we have made it our business to see one of the citizens principally concerned in getting up the paper mentioned, and we are authorised, not "*in general terms*," but *particularly* to state, that the list or synopsis of the Intelligencer is *false*—*false* in the most material points.

—

*From the National Intelligencer of May* 29.

After quoting the preceding paragraph from the "Globe"—"The 'material point,' in this extraordinary piece of business, is, unquestionably, that *a proscription list has been got up*, to be presented to the executive. That fact, hitherto only currently reported, is now acknowledged and avowed by the official organ of the executive. The conductor of it has made it his business 'to see one of the citizens principally concerned.' *He knew*, therefore, who were concerned—'in getting up the papers mentioned;' and he is authorised—authorised to do what? To declare that there is no proscription list in existence? Or, that such list bears no resemblance to the synopsis which was shown to us, and which we have imparted to our readers? Not at all. The fact of its existence is undeniable, however at first incredible. But the official editor is authorised to state that the synopsis 'is false in the most material points.'

"Now we undertake to say, that our account of it falls short of the truth, instead of exceeding it.

"Two errors we have already acknowledged, viz: the omission from our list of the name of the very respectable treasurer of the United States, and the insertion of that of the secretary of war. [The proscription has kindly spared him.] These perhaps, are the *material errors* referred to. No others have been suggested to us. It is now rumored, however, that, instead of a hundred and fifty, or thereabouts, the list actually bears a hundred and seventy names, the additional number being clerks. It is also reported, but we doubt the truth of the report, that the commissioner of the general land office is on the list.

"There is one way of settling all doubts as to what the list is or is not. Let it be published. Let the official editor obtain a copy of it from the executive, or from the gentleman whom he made it his business to *see*, who was principally concerned in *getting it up*. We shall then know who were the destined victims of this proscription. We challenge the publication of it. The people of the United States, not to speak of the denounced, have a right *to demand* that publicity be given to the whole transaction."

*From the same of May* 30.

The Baltimore Gazette, in an editorial article under Tuesday's date, suggests as probable that the proscription list, the existence of which is now acknowledged, was made out on other than political principles. Certainly it was; for the prominent persons denounced are of the original Jackson school of politicians. But, if the editor of the Gazette supposes that the denunciation is founded on any defect in morals or capacity in the denounced, he is entirely out in his conjecture. As to nine-tenths of the persons denounced no pretence of the kind can be set up. The larger proportion of the persons denounced are gentlemen of distinguished moral standing as well as intellectual and practical ability.

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On the general subject an article in the "*Pennsylvanian*" says—

"Let the democracy of the nation be awakened to its majestic strength, and sustain our beloved chief magistrate, in emphatically cleansing the "Augean stable." Let not his venerable form, which has so often breasted the cannon's mouth, and shed its courageous blood for our liberty and independence, be polluted with impunity, by the unhallowed touch of the pitiful wretch who becomes the daring leader of defaulters, drones and slanderers of the people's rights, and the democracy of the union."

## SISTERS OF CHARITY.

While gratifying ourselves in recording the following articles, we think it also a duty to publish them.

*Mayor's office, Baltimore, November 3d*, 1832.

REV. A. J. ELDER: DEAR SIR—The duties assigned me, as mayor of the city of Baltimore, being concluded this day, I cannot retire to the quietude of private life, without acknowledging the obligation which the board of health and myself are under to you, sir, for your persevering attention to our afflicted fellow citizens, and through you to those invaluable *Sisters of Charity*, whose benevolent conduct has been of such essential utility in alleviating the horrors incident to the fatal epidemic, which a short period since, raged in our city. But, their attention to the sick was not the only service rendered by the *Sisters of Charity;* they voluntarily furnished cloathing, at their own expense, to the destitute orphans of those who fell victims to the *cholera;* thus exhibiting the purest system of unostentatious charity that could have been devised.

At the hospitals, their labor and attention became so important, and their exertions so incessant, that, even they, were often physically exhausted, and required the helping hand of others. At this time, the *Sisters of Charity* at the orphan asylum, and the infirmary, freely tendered their sisterly assistance to smooth the path of anxiety and care, of those especially devoted to the hospitals.

But, it surely is a solemn consideration, that the *Sisters of Charity* will retire with two less of their number, than when they commenced their labor of love, in Baltimore.

The rapacious and desolating scourge, with indiscriminate violence, seized sisters MARY FRANCIS and MARY GEORGE, and transferred their administering spirits to regions of peace and tranquility. We humbly bow in submission to the Divine dis-

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pensation, confiding in the evangelist who saith "blessed are the dead who die in the Lord."

The board of health and myself, have deemed it an imperious duty, in behalf of the citizens of Baltimore, to express our warmest gratitude, and deepest sense of obligation, for those services which were given, without compensation: thereby, leaving us doubly your debtors.

Be pleased, therefore, my dear sir, to tender the sincere and grateful thanks of the board of health and myself, to sisters *Barbara, Clare, Lucadia, Julia* and *Euprozene*, at hospital No. 2—to sisters *Mary Paul, Domcella, Mary June* and *Mary James*, at hospital No. 3—to sisters *Ambrosia*, superior of the infirmary; and also, to *Henrietta, Dorothea, Hillaria, Octavia, Delphine* and *Chrysostom*, of that institution—to sisters *Felicity*, superior of the orphan's asylum; and also, to *Camilia, Bernerdine, Marcellina Brozilia* and *Alphonso*, of that institution, for their unwearied attention to the sick of cholera; and although they will receive no pecuniary remuneration from us, yet I humbly hope, their reward is registered in heaven.

I remain, dear, sir, yours, and the sisters of charity's obliged friend, and humble servant, WILLIAM STEUART,

*Mayor of the city of Baltimore.*

—

*Philadelphia, May 20*, 1833.

At a meeting of the board of guardians the following preamble and resolutions were adopted, and the letter referred to, ordered to be published. SAMUEL HAZARD, *secretary.*

*Whereas*, a written communication has been received by this board from the rev. *John Hickey*, superior of the sisters of charity, intimating, for reasons therein stated, that it is his intention to recal the sisters now in the almshouse, as soon as this board shall have had time to supply their place; *And whereas* it is proper that some testimony should be borne to the zeal, fidelity and disinterestedness which these amiable philanthropists have exhibited: Therefore,

*Resolved*, That this body entertain a deep, lasting and grateful sense of the generous devotedness—the serene and Christian kindness, and the pure and unworldly benevolence which have prompted and sustained the Sisters of Charity attached to this institution, during the trying period of pestilence and death, and afterwards in the midst of constant suffering and disease.

*Resolved*, That the invaluable services of these amiable women have been productive of lasting benefit to this institution, in the admirable and energetic measures which they have introduced for the relief and comfort of the sick and afflicted, and entitle them to the warmest thanks and gratitude of the whole community, which has been benefitted by their labors.

*Resolved*, That this body, in parting from the Sisters of Charity, regret that the rules and habits of the order to which the sisters belong, do not admit the acceptance of any reward, as it would give them pleasure to bestow such a testimonial as might serve partially to express the grateful feelings which they entertain.

*Resolved*, That in permanent testimony of our feeling in this regard, the above resolutions be recorded in theminutes of this board.

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*To the board of managers of the Philadelphia almshouse.*

Gentlemen: When your board made application through bishop *Kenrick* for the Sisters of Charity, the ravages of the cholera among the unfortunate inmates of the institution over which you preside, required that your request should be immediately complied with. It was a crisis of pestilence which demanded prompt decision on the part of the superiors of the sisters at Emmetsburg, and accordingly eight of their number immediately set out to meet the exigency.

It has never since been in our power to ascertain, by actual observation, how far their continuance in your institution would be in accordance with the charitable end of our society, and with the religious retirement and the exercises of piety peculiar to its members.

Being now on the spot, and having made all the inquiries necessary to determine my judgment, I feel it my duty, gentlemen, to advise you that I do not consider their long continuance in the almshouse to be that department of charity in which they can be most usefully employed. With all the good will and kindness which you gentlemen have manifested in their regard, I do not perceive that, consistently with the principle on which the institution is founded, supported and governed, it is in your power to secure to them those opportunities of practising the duties of their state of life, according to their rules—that protection of their feelings from the rude assaults of such persons as are necessarily in your institution, and who regard it as their own, whilst they look upon those who minister to their comfort, as servants paid for doing it—or that security from misrepresentations of motives and action, to which a few retiring and timid females are necessarily exposed, laboring amidst such a population of paupers.

Besides, in every case of legal provision for the poor the expenses of attending them are included, the places occupied by the sisters might afford employment to others who stand in need of it, for the sake of an emolument which enters not into the motives that influence the sisters or their superiors. Consequently, the poor would be attended to in your institution—whilst the sisters could be employed in other departments of charity, where the unhappy sufferers have to depend on a mere pecuniary support; where the orphans will look on them as mothers, and the sick as sisters. Where theirs will be the task to plant the seeds of virtue and education in the minds of poor children, whose poverty and wretched parents sometimes conspire to deprive them of both, unless such facilities be afforded.

Trusting, gentlemen, that you will appreciate these motives, I beg leave to say, that after allowing such time as you may think requisite to have their places supplied by others, it is my intention to recal the sisters who are now in the almshouse.

In making this communication, gentlemen, permit me to say that no complaint has been made by the sisters against any member of your board, but on the contrary, every testimony has been borne to the kindness and zeal for their comfort, which you have manifested, individually and collectively, in their regard, during the whole time of their stay in your institution, and for which permit me, gentleman, in their name, to return you my unfeigned thanks. I am, gentlemen, very respectfully, your obedient servant, JOHN HICKEY,

*Superior of the Sisters of Charity.*

*Philadelphia, May 15th*, 1833.

## BAPTISTS IN THE UNITED STATES.

The table which follows, is extracted from Mr. *Allen's Annual Register*, and gives a statement of the number of associations, churches, vacant churches, ordained ministers, licensed preachers, the baptised in the last year, and the whole number of communicants in each state.

SUMMARY VIEW OF THE BAPTISTS.

| *States and Territories.* | *Associations.* | *Churches.* | *Vac. churches.* | *Ord. ministers.* | *Licensed.* | *Baptized.* | *Communicants.* |
|---|---|---|---|---|---|---|---|
| Maine, | 9 | 222 | 117 | 145 | 23 | 1,802 | 15,000 |
| N. Hampshire, | 6 | 90 | 26 | 64 | 14 | 596 | 6,505 |
| Massachusetts, | 10 | 189 | 50 | 160 | 60 | 2,902 | 20,300 |
| Rhode Island, | 1 | 20 | 5 | 17 | 3 | 249 | 3,271 |
| Connecticut, | 5 | 92 | 21 | 77 | 20 | 967 | 10,039 |
| Vermont, | 7 | 125 | 53 | 78 | 9 | 1,631 | 10,525 |
| New York, | 32 | 605 | 175 | 448 | 97 | 7,920 | 60,006 |
| New Jersey, | 2 | 61 | 17 | 53 | 7 | 560 | 3,981 |
| Pennsylvania, | 13 | 157 | 64 | 95 | 26 | 1,747 | 11,103 |
| Delaware, | 1 | 9 | 3 | 3 | 2 | 13 | 420 |
| Maryland, | 2 | 34 | 7 | 21 | 2 | 66 | 1,341 |
| Dis. of Columbia, | | 5 | 1 | 4 | | 41 | 533 |
| Virginia, | 22 | 435 | 146 | 225 | 36 | 7,598 | 54,302 |
| North Carolina, | 19 | 332 | 177 | 165 | 46 | 992 | 18,998 |
| South Carolina, | 10 | 273 | 118 | 155 | 43 | 7,906 | 28,496 |
| Georgia, | 18 | 509 | 278 | 206 | 49 | 2,319 | 38,282 |
| Alabama, | 13 | 250 | 149 | 109 | 36 | 1,445 | 11,445 |
| Mississippi, | 3 | 84 | 31 | 34 | 5 | 278 | 3,199 |
| Louisiana, | 1 | 16 | 4 | 12 | 1 | 77 | 798 |
| Tennessee, | 20 | 413 | 178 | 219 | 24 | 805 | 20,472 |
| Missouri, | 13 | 146 | 60 | 86 | 7 | 288 | 4,978 |
| Kentucky, | 34 | 484 | 229 | 236 | 22 | 831 | 34,194 |
| Illinois, | 16 | 161 | 50 | 107 | 16 | 197 | 4,622 |
| Indiana, | 21 | 299 | 140 | 152 | 49 | 421 | 11,334 |
| Ohio, | 21 | 280 | 115 | 142 | 24 | 826 | 10,493 |
| Arkansas, | 2 | 17 | 7 | | | | 181 |
| Michigan, | 1 | 17 | 5 | 11 | 2 | 103 | 667 |
| U. Canada, | 4 | 37 | 5 | 32 | 16 | 214 | 1,976 |
| Nova Scotia, | 1 | 44 | 3 | 31 | 7 | 353 | 3,633 |
| New Brunswick, | 1 | 31 | 12 | 8 | 2 | | 1,557 |
| Jamaica, | 1 | 24 | | 14 | | | 10,838 |
| 7th day Bap. | 1 | 32 | | 32 | 9 | 643 | 4,258 |
| 6th Prin. Bap. | 1 | 23 | 11 | 12 | | 119 | 2,137 |
| Total in 1832, | 311 | 5,513 | 2,457 | 3,153 | 657 | 43,517 | 409,658 |
| Total in 1831, | 300 | 5,075 | | 2,934 | 436 | 31,462 | 361,434 |
| Increase | 11 | 438 | | 219 | 221 | 11,055 | 48,224 |

Upwards of 41,000 persons, as appears by printed returns from the associations, have been added to the churches by baptism, during the last associational year; 2,426 of these churches have no pastors. It being the fact that no returns for 1832, were received from several associations in North Carolina, Georgia, Tennessee, Kentucky, and a few other states, the editor of the Register infers, that the above tabular aggregate of baptisms, falls considerably below the actual number. The probability, in his opinion, is, that about *fifty thousand* were baptized in the denomination during the year.

## LIFE OF JOHN JAY.

"The Life of *John Jay*, with selections from his correspondence and miscellaneous papers," by his son, William Jay, has lately been published in New York. Mr. Jay died in 1829, aged 84 years. Few men had filled a larger space in public life than he did. He was one of the best and most zealous members of the old congress, the first chief justice of the United States, &c.

We have not seen the work; but feel much pleasure in copying the following from the "New York American." It places Mr. Jay in a most worthy and honorable light—and we heartily rejoice in it. "National honor *is* national

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strength;" and that honor is materially connected with the reputation of our prominent citizens. His *submission* to instructions, while rendering his objections to the broad scope of them, is an admirable instance of what is *now* claimed as *the* true "democratic" principle.

—

A truly American feeling on every question with foreigners respecting the rights and dignity of his country, was a marking trait in the character and conduct of Mr. Jay. Under the pressure of adverse circumstances congress suffered themselves, in 1781, to receive the dictation of the French minister as to the terms on which alone American ministers in Europe should treat for peace with England; and they actually agreed, on the proposition of *M. Gerard*, to insert in the instructions of their ministers the following paragraph additional to that in which the American functionaries were directed to repose full confidence in, and freely to consult the French cabinet—"and ultimately to govern yourself by their advice and opinion." John Adams, then minister in France, having been found of too sturdy honesty, and too sagacious judgment, for the purposes of count de Vergennes, congress was induced, chiefly by the importunity of the French minister in Philadelphia, to associate other four commissioners with him, in order to treat of peace. The persons selected were John Jay, Thomas Jefferson, Benjamin Franklin and Henry Laurens. Mr. Jay, when he received his new commission with the instructions just alluded to, was in Madrid. How they affected him will be perceived by the following letter—admirable not less for unaffected personal humility, than for high and genuine pride of country:

*St. Ildefonso, 20th Sept.* 1781.

*To the president of congress.*

SIR—Your excellency's favor of the 5th July past, with the papers therewith enclosed, were delivered to me on the 29th ult. by major Franks, whom the procrastination of the minister still obliges me retain.

The new commissions with which congress have honored me, argue a degree of confidence which demands my warmest acknowledgments; and which, so far as it may be founded on an opinion of my zeal and integrity, they may be assured will not prove misplaced.

At the commencement of the present troubles, I determined to devote myself, during the continuance of them, to the service of my country, in any station in which she might think it proper to place me. This resolution, for the first time, now embarasses me. I know it to be my duty, as a public servant, to be guided by my own judgment only in matters referred to my discretion; and, in other cases, faithfully to execute my *instructions* without questioning the policy of them. But there is *one* among those which accompany the commissions, which occasions sensations I never before experienced, and induces me to wish that my name had been omitted.

So far as personal pride and reluctance to humiliation may render this appointment disagreeable, I view it as a very unimportant circumstance; and should congress, on any occasion, think it for the public good to place me in a station inferior and subordinate to the one *I* now hold, they will find me ready to descend from the one, and cheerfully undertake the duties of the other. My ambition will always be more gratified in being useful than conspicuous; for, in my opinion, the solid dignity of man depends less on the height or extent of the sphere allotted to him, than on the manner in which he may fulfil the duties of it.

But, sir, as an American, I feel an interest in the dignity of my country, which renders it difficult for me to reconcile myself to the idea of the sovereign independent states of America submitting, in the persons of their ministers, to be absolutely governed by the *advice* and *opinion* of the servants of another sovereign, especially in a case of such national importance.

That gratitude and confidence are due to our allies is not to be questioned; and that it will probably be in the power of France almost to dictate the terms of peace for us, is but too true. That such extraordinary extent of confidence *may* stimulate our allies to the highest efforts of a generous friendship in our favor, is not to be denied; and that *this instruction* receives some appearance of policy from this consideration, may be admitted.

I must, nevertheless, take the liberty of observing, that however our situation may, in the opinion of congress, render it necessary to relax their demands on every side, and even to direct their commissioners ultimately to concur (if nothing better can be done) in any peace or truce not subversive of our independence, which France may be determined to accede to, yet that this instruction, besides breathing a degree of complacency not quite republican, puts it out of the power of your ministers to improve those chances and opportunities which, in the course of human affairs, happen more or less frequently unto all men. Nor is it clear that America, thus casting herself into the arms of the king of France, will advance either her interest or reputation with that or other nations.

What the sentiments of my colleagues on this occasion may be, I do not as yet know; nor can I foresee how far the negotiations of the ensuing winter may call for the execution of this commission. Thus circumstanced, and at such a distance from America, it would not be proper to decline this appointment. I will, therefore, do my best endeavors to fulfil the expectations of congress on this subject; but as for my own part, I think it improbable that serious negotiations for peace will soon take place, I must entreat congress to take an early opportunity of relieving me from a station where, in character of their minister, I must necessarily receive and obey (under the name of *opinions*) the directions of those on whom I really think no American minister ought to be dependent, and to whom, in love for our country, and zeal for her service, I am sure that my colleagues and myself are at least equal. I have the honor to be, &c.

JOHN JAY.

## TRIAL OF THE REV. EDWARD IRVING.

*From late English papers.*

The hearing of this case, which was a charge of heresy, against the celebrated rev. Edward Irving, of London, came on before the presbytery of Annan on Wednesday last. The proceedings were opened with a prayer, after which the indictment was read, which charged the rev. defendant with maintaining the sinfulness of Christ in his human nature. He had written that the devil tempted because he knew our Lord to be temptable; that human nature was corrupt to the heart's core, and black as hell; and this was the human nature which the son of God took upon himself, &c. &c. Numerous passages from the writings of the accused were read. In consequence of the promulgation of these doctrines, the general assembly of Scotland had enjoined the presbytery of Annan to call upon the rev. Edward Irving to avow or disavow them; in order that, if he avowed therein, he might be deposed from that station in the church of Scotland to which the presbytery of Annan, by the imposition of hands, ordained him. The moderator inquiring if he admitted the truth of the libel, Mr. Irving, with great solemnity, replied—"If I have said and taught that Christ was fashioned as a man—that he took our sinful nature upon him—but by the grace of God he was upheld, and yielded not to the motions of that sinful nature—then it is a glorious doctrine, and I will maintain it, yea, even unto death." Moderator—"It is necessary that you answer aye, or no." The rev. Edward Irving—"What I do hold is, that the flesh of Christ, being of the seed of David—born of a woman—was sinful; but that it was presented holy unto God—holy, holy as the law of God itself. And surely you do not call this a true libel." After some fencing, a plea was recorded that the accused admitted the correctness of the extracts. The members of the presbytery then delivered their opinions, seriatim, that the doctrine in question was heretical, inasmuch as Christ was conceived of the Holy Ghost; and, although a man, was without sin. During these addresses, Mr. Irving kept his face buried in his hands, and often sighed aloud. Mr. Irving delivered an eloquent and earnest address, which lasted nearly two hours. His spirit-stirring eloquence, his extraordinary appearance, his great physical powers, his gestures, his intonations, all combined to command the utmost attention, and to make, it was obvious, a deep impression. The presbytery unanimously pronounced his doctrines heretical, and the moderator asked him if he had any objection why sentence of deposition should not be pronounced. Mr. Irving rose and said, with great vehemence, "objection? all objection! objection? all objection! I object not for my own sake, but for the sake of Christ, my Lord, whom I serve and honor. I object for your sakes, who will thus call down on your heads the righteous wrath of God. I object for the church's sake, who are led blindfold to ruin. Objection! All objection!!" The moderator requested the senior member of the presbytery to offer up a prayer, when a gentleman who sat with Mr. Irving, and who was said to be one of his deacons from London, arose and with great vehemence exclaimed, "depart! depart! arise and flee! flee ye out of her! ye cannot pray to Christ whom ye deny! depart! depart! I say depart! flee, flee!" Great consternation and confusion now began to prevail, and the church being almost dark, (for it was 7 o'clock), added to them not a little. The deacon, who seemed greatly excited, made his way forcibly through the crowd. (Here there was a burst of hisses from the galleries). Mr. Irving, who was proceeding to follow his friend, then exclaimed, also with great vehemence, and apparently to the crowd that somewhat obstructed his passage. "Stand forth! stand forth! What! will ye not obey the the Holy Ghost! As many as will obey the voice of the Holy Ghost, let them depart!" He then made his way towards the door, and just before reaching it, he exclaimed, "prayer, indeed! oh!" Several gentlemen of Mr. Irving's party followed. In the midst of great confusion, Mr. Sloan offered up a brief prayer; after which, the moderator formally pronounced the sentence of deposition of the rev. Edward Irving from the ministry of the church of Scotland.

## UNITED STATES BANK INTEREST.

The New Orleans Mercantile Advertiser furnishes the detailed report of a judicial decision in the U. S. district court, in favor of the rules adopted by the bank of the United States in the calculation of interest.

The suit was brought by the bank for the recovery of $1,600, being the amount of a promissory note dated 14th of June last, at four months. It was discounted on the 3d of July, having 103 days to run, but the bank added the four days of grace, making it 107 days, for which they took discount. No objection was made to the addition of the four days grace, but the payment was refused, upon the ground of usury, against the 9th article of the charter, because the bank had calculated its discounts by Rowlett's tables, which are based upon 360 days for the year, and thirty days for the month; and that this calculation of six per cent. for 360 days instead of 365, was a violation of

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that part of the charter which provides that the bank shall not receive "more than six per centum per annum." In the present case the difference was *twenty-five* cents.

The point has never been decided in the U. S. courts. The select committee of the house of representatives of March, 1832, reported in favor of this usage as one that "conformed to the established, and it is believed universal usage in the United States prevailing among individuals as well as in monied institutions, and to the most approved tables (Rowlett's) heretofore in use"—but no judicial decision has ever been had upon the point.

Judge Harper examined the question at length in the case before him, and decided that neither the provisions of the charter, the congressional expositions of it, the policy of the rule, nor the general custom of banks and merchants, sustained the plea of usury against the bank.

It is to be noted that in Louisiana, where this contract was made, there is no statute against usury, and there being no United States law on the subject, the legal points were on the construction of the charter, and general principles of law. The well known New York case, of the *bank of Utica* against *Wager*, in which this same rule of calculating interest was decided to be usurious, differs from this in its being that of a state bank, violating an express statute of the state. The judge further suggested that usury in the bank would not void the security. The charter imposes no specific penalty. The remedy is on the part of the government for a breach of charter, not in the individual to make his obligations void.

It seems from a part of the judge's charge that he was expected to lean against the institution because of his opposition to its recharter. He says,

"As to the *argumentum* ad hominem, touching independence of decision, and the patriotism of lending judicial aid in breaking down an institution which like an *incubus* weighs heavily on the body politic, I will only say, that however much I may condemn the general principles upon which it is founded, as a politician, yet, as it has received the sanction of all the properly constituted authorities, it is my duty, as a judge, to uphold it in the exercise of all its legal rights."

## IMPORTANT SLAVE CASE.

*From Poulson's American Daily Advertiser.*

| | |
|---|---|
| Caleb Johnson, a citizen of the state of New Jersey,<br>*vs.*<br>Isaac Tompkins, a justice of the peace, John Kenderdine, Issachar Kenderdine, Justinian Kenderdine, John Iredell, Thomas Kenderdine, John E. Kenderdine, Henry Sandman, Samuel Gray, Robert Kenderdine, John Iredell, Thomas Iredell and Jacob Tompkins, citizens of Pennsylvania. | Circuit court of the United States. |

*Name of Jurymen.*

| | |
|---|---|
| 1. Jedediah Allen, | 7. George Rees, |
| 2. Samuel Hays, | 8. Aaron Clement, |
| 3. Robert Donnell, | 9. William E. Lehman, |
| 4. Rueben Etting, | 10. Hugh Colhoun, |
| 5. James McAlpin, | 11. George Gorgas, |
| 6. Jacob Strembeck, | 12. Henry Leutz. |

This was an action of *trespass vi et armis*, false imprisonment; and brought in the circuit court of the United States, Pennsylvania district, and tried before judges *Baldwin* and *Hopkinson*. The jury were empannelled on Monday, the 29th April, and the case was closed on the 7th ult. The trial has been one of the most interesting ever heard in a court, and excited an intense interest during its progress.

The following is a brief outline of the circumstances:

Some time previous to the month of October, 1822, negro Jack, a slave, the property of the plaintiff, absconded from his master, residing near Princeton, New Jersey, fled to the county of Montgomery, in Pennsylvania, in the neighborhood of Hartborough, commonly called the Billet, and there was hired by the defendants, John and Issachar Kenderdine. On Sunday morning, the 20th of October, 1822, the plaintiff, with his brother, Ralph Johnson, and his friends, Messrs. Withington and Skilmore, left Princeton, crossed the Delaware; and about an hour before sunset, arrived at the Billet, for the purpose of securing and taking up Jack as a runaway slave. They put up at the best known tavern in the village, then kept by Mr. Marples. Upon ascertaining where Jack was, they left their great coats and umbrellas at Marples', and proceeded to the residence of the defendant, John Kenderdine, who lived about four miles from the Billet. They previously ordered their supper to be ready on their return, and mentioned to Marples (the landlord) the object of their visit, and what they were about to do. About dusk, they arrived at Kenderdine's—there was sickness in the family, and the male members of the family were from home. Three of the four Jersey party left the wagon in the road, and went to the kitchen of the mansion house and knocked at the door. They were told to walk in, when one of them said an accident had happened to their wagon, and they wished help. In an instant Jack was recognized—they then said no accident happened, but that they used this precaution to secure him. Jack agreed to go at once. He was placed in the wagon with fetters, and upon returning to the house and making an ineffectual attempt to obtain Jack's clothes, the party proceeded to return to the Billet. There was contradictory testimony as to certain threats alleged to have been made in and on the road by the associates of the plaintiff, but it was proved that they declared that if they would go with them to the Billet, they would satisfy Issachar Kenderdine that they had the right to take Jack.

Before they started, Issachar Kenderdine had arrived at his brother John's house, and demanded their authority to take Jack. The taking was conducted so quietly that it was not heard in the sick room up stairs.

Before the party had got back to the Billet, they were overtaken by John and Issachar Kenderdine, and a large assemblage of persons who had been collected; were attacked with stones and clubs; the plaintiff received a blow which produced a contusion on the side of the head, and the physician pronounced it a serious wound. When they arrived at the Billet, they were surrounded by a mob of 40 or 50 persons, and were compelled to go at once to judge McNiel, an associate judge of Montgomery county, to prove their property. The plaintiff being very weak, begged to stay till morning. This was refused, and the plaintiff and one of his associates rode in their wagon, and the other two walked to the residence of the judge. Among the crowd were the defendants, Tompkins, a justice of the peace, and the constable Silas Roney, who was at that time only a spectator. When they arrived at the residence of judge McNiel, a partial hearing took place, and the judge recommended a further hearing as to the slavery of Jack, and that in the mean time justice Tompkins should commit Jack to jail, and bind over the plaintiff and his associates to prosecute his claim. John and Issachar Kenderdine went to justice Tompkins and entered security in $600 for the appearance of Jack to answer the claim of his master. The constable and the mob then conducted the Jersey party back to the tavern, and kept them in custody till the next day.

The defendant gave in evidence that judge McNiel had directed John Kenderdine to bring the plaintiff and his party before him, by force, if they resisted, but judge McNiel stated that he meant legal force, and when they were before him, seeing a justice of the peace (Tompkins) and the constable (Roney) in company, he believed they were brought before him by legal authority.

During the night, Withington escaped and came to the city, and it was supposed gave information to the friends of the plaintiff of his detention: the remaining three were treated with great severity, being refused even a bed. Before daylight on Monday morning, a compromise was agreed to by all the parties who were present, and the plaintiff offered *to manumit Jack and pay the expenses*. A message was despatched to John Kenderdine to obtain his consent, but he peremptorily refused, declaring they should be prosecuted. On Monday morning, the three Jerseymen were taken before Justice Tompkins, and security in $6,000 was required of them to answer the charge of kidnapping. The plaintiff and his party not being able at that time to give the security, the justice was proceeding to write a commitment, when the constable interposed and said he would be security for their appearance on the next day. They were accordingly conducted back to Marple's tavern and remained there under custody till the next day, Tuesday. During the second night, John Kenderdine, and eight or ten of his friends, came to the tavern, and insisted upon taking charge of the prisoners; some of the party behaved with great rudeness. The constable remonstrated, but they persisted, and he withdrew from the charge. On Tuesday the friends of the Jersey party arrived from Newtown, in Bucks county, and the city of Philadelphia, and they entered into security in $2,000, respectively, and one security in the like sum to appear at the next court of quarter sessions, to answer the charge of *kidnapping*. John and Issachar Kenderdine were bound over to testify against them. The grand jury examined the witnesses for the prosecution, and returned a true bill. At the trial at Norristown, Montgomery county, before the petit jury, great excitement against Johnson and his co defendants, prevailed. A subscription was made to employ additional counsel to aid the attorney general in conducting the prosecution; after a long and arduous trial, the defendants were acquitted, and negro Jack was delivered up to his master, Caleb Johnson, the present plaintiff, by order of judge Jones, one of the judges of the court of common pleas of Montgomery county.

There never was any authority in writing, either warrant or commitment, to detain the Jersey party; there never was any hearing on oath or affirmation, nor was there any complaint made on oath or affirmation before judge McNiel or justice Tompkins on Monday; the evidence was contradictory whether any complaint on oath or affirmation was made before justice Tompkins on Tuesday.

On the present trial there was no dispute that Jack was a slave—since his restoration to his master he had manumitted him. Jack was now living near to his master in the vicinity of Princeton, and had attended the last court as a witness for the plaintiff, when the trial was postponed. Caleb Johnson the plaintiff was a farmer of considerable wealth and unexceptionable character, it appeared also that the defendants were men of moderate property, also of fair character and highly respectable members of the society of friends.

Separate suits brought by Ralph Johnson and Skilmore were pending, and prosecutions against *seven* of the defendants for the penalties of $500, each imposed for obstructing the recovery of fugitive slaves under the act of congress of 12th February, 1793.

A wide range was taken by the respective counsel in their addresses to the jury. The abstract merit of slavery, the im-

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portance of securing to the owners of slaves, their rights, and the impolicy and injustice of conniving at the escape of fugitive slaves were fully considered and discussed.

On the part of the plaintiff it was contended that this was a high handed violation of all law and authority on the part of the defendants, and that they should be punished with most exemplary severity.

The counsel of the defendants justified them in every part of their conduct, and contended that in points of law as well as merit, they were entitled to an acquittal.

The court, in a most able and decided charge, instructed the jury, that the plaintiff and his associates were justified in every step that they had taken to recover the slave; that the preservation of the union depended on the affording to the owners of slaves all legal and proper facilities to recover their property; that the proceedings of the defendants from the commencement to the conclusion had been without color of authority, and in direct violation of the constitution of the United States, and the state of Pennsylvania, and the only questions were, which of the defendants had participated in those irregularities, and what amount of damages should be given. The jury retired the 6th instant, and same day came into court with a verdict for the plaintiff of $4,000, and a verdict of not guilty against the other defendants—Jacob Tompkins, John E. Kenderdine, Thomas Kenderdine, Robert Kenderdine, and Thomas Iredell, Henry Sandman, Samuel Gray.

The jury, we understand, formally requested judge *Baldwin* to furnish a copy of his charge for publication.

*Counsel—Thomas Kittera* and *Josiah Randall*, esquires, for the plaintiffs: *Wm. Rawle*, jr. and *John Sergeant*, esquires, for the defendants.

[☞The opinion of the court shall be inserted *in extenso*—though its length is great.]

## GEORGIA CONVENTION.

On Monday, the 13th of May, the convention took up the report of the committee, and the substitutes offered by several members.

After some debate, the convention agreed to take up a substitute offered by Mr. Mays, of DeKalb, by sections. The first section provides for the organization of the senate, and divides the state into senatorial districts, of two counties each, *without regard to population*, &c. A motion to strike out *two* was decided in the negative—yeas 114, nays 128. A substitute offered by Mr. Bowen, of Jackson, was also negatived, yeas 93, nays 150. The question was then taken on agreeing to the first section of Mr. Mays' substitute, and decided in the affirmative, yeas 162, nays 81. The second section provides for the organization of the house of representatives, by the election of members *according to white population*. Mr. Dawson offered an amendment to this section, *changing the basis of representation by white population*, as provided in that section, for the federal representation. The question on this amendment *was decided in the negative*, yeas 123, nays 126. Another substitute was offered, *incorporating the federal representation as a basis*, which was *rejected*, yeas 100, nays 138. After another substitute had been offered and rejected, the question was taken on agreeing to the section, and *decided in the affirmative*, yeas 126, nays 110.

On Tuesday, a very animated debate arose on a motion to reconsider the vote of the preceding day on the question of agreeing to the adoption of Mr. Mays' substitute, which was decided in the negative, yeas 114, nays 130. The convention then adjourned to 4 o'clock in the afternoon.

At four o'clock, the 3d and 4th sections of the substitute of Mr. Mays, were taken up. An amendment proposed by Mr. Harris was taken into consideration. By it the house is to consist of 144 members, except in the formation of new counties. These 144 members are to be distributed as follows: 15 counties having the highest number of *white population*, to be entitled each to 3 members; 25 counties having the next highest number of *white population*, to be entitled each to 2 members; and the remaining 49 counties to one member each. After every census, a new apportionment to be made by the legislature, and should new counties have been created, the counties entitled to a larger number of representatives than one, to be reduced, &c. This amendment was received, yeas 140, nays 92. Some other amendments were proposed, but rejected. On Wednesday, Mr. Harris offered a section, dividing and distributing the state into senatorial districts, in the number previously agreed on. The section was adopted, yeas 151, nays 79. Several other propositions were made and rejected. In the afternoon the convention adjourned *sine die*.

## GEORGIA AND THE CHEROKEES.

*From the Federal Union, May 16.*

THE CHEROKEES. It will be recollected, that a short time since, we made a few remarks on the very reprehensible attempt made by certain persons to convince the Cherokees, that the president would sustain them in their opposition to our laws, in which we expressed the "*hope that president Jackson would embrace some early opportunity to convince the Cherokees of their true situation, and that his mind had undergone no change in relation to their rights and pretensions.*" We have had this hope fully and early gratified. We were well apprized of the exertions on foot by our vigilant governor to disabuse the public opinion, and to convince the people of Georgia, both white men and red men, that the machinations of their enemies were in vain—for we consider them the enemies of both—and we felt a most confident conviction that the president still held his uniform sentiments upon this subject. The correspondence this day published by governor Lumpkin in our columns, sets the question at rest; and they must now blush, who have, in any way, deceived the Indians with that belief that the revenue collection act, called the force act, would give them any aid. Language cannot be more express than that used by the secretary of war, Mr. Cass, and the commissioner of Indian affairs, Mr. Herring. Mr. Cass says—"These letters will undoubtedly remove any *errors which may have prevailed*, and will shew that the *opinions of the president are unchanged.*" Mr. Herring says—"The president *yet thinks*, as he has always thought, the executive has *no constitutional right to apply military force to remove persons from any parts of the states of Georgia or Alabama.*" Again he says: "I am *instructed* further to express to you the opinion of the president, that the *immediate removal of your* people, in conformity with the very liberal terms held out to them, offers the *only prospect of their permanent and prosperous establishment.*" These letters are official, and convey directly the views and wishes of the president—and any man who would hereafter attempt to misrepresent them, deserves the reprobation of every Georgian.

*Executive department, Ga. Milledgeville, May 14, 1833.*

In order to correct various misrepresentations, circulated through the press and other channels, I have to request newspaper editors, friendly to the great interest of the country, and especially that of Georgia, to publish the following correspondence. WILSON LUMPKIN.

*Executive department, Ga. Milledgeville, April 26, 1833.*

*Hon. Lewis Cass, secretary of war.*

SIR—A few days ago I addressed a letter to the president of the United States, on the subject of our Indian relations, which I requested might be submitted to you.

In connection with the same subject, I herewith enclose you a copy of a letter, received by me a few days ago from a respectable gentleman, who resides in the neighborhood of John Ross. That gentleman, with various others, inform me, that Ross is exhibiting this *indiscreet letter*, and impressing the ignorant Indians and Indian countrymen, with the belief, that he is authorised to say, from the authority of the war department, that in a short time, all the Georgia settlers, who have settled under the authority of the laws of Georgia, will be driven from their homes by the United States' army. There may be some exaggeration in these statements; but I am forced to the conclusion, from what I have heard, and from the reading of this *imprudent letter*, that great efforts are making in that country to mislead and delude the unfortunate Cherokees.

I do not hesitate in my reply to such communications, to assure the people of that country, that no change has taken place in the views of the federal executive, and that the Indians, so long as they choose to remain in Georgia, must yield implicit obedience to the supremacy of the laws of the state. And that no power of the federal government will ever be exerted to remove the inhabitants who have settled under the authority of the state, &c. &c. I am engaged in using all the means in my power to counteract the mischievous influence of the enemies of good order in this half settled country. But I consider it highly important that you should, with all possible despatch, make such a communication to the Cherokees, as shall put an end to all false stories of the character pointed out. Such a communication should be publicly and authentically made to the whole people, who may assemble at their council on the 14th of next month. It is submitted to your consideration, whether a communication from you or the president of the U. States, himself, might not be made *through me* to the Cherokees most effectually. At any rate, please to let me hear from you immediately on this subject, for I deem it indispensable, at their approaching council, by some means, to remove the idle delusion into which these people are led, by the exertions of bad men. If the copy of the letter which I enclose you, be not a forgery, it deserves strong reprehension. Such productions, from such a quarter, are most mischievous. With great respect, your obedient servant, WILSON LUMPKIN.

[Here follows the letter above referred to.]

*Department of war, office of Indian affairs, March 14, 1833.*

SIR: Your letter of the 8th instant, addressed to the secretary of war on the subject of intrusion on Cherokee land by white citizens, has been referred to this office for reply.

It cannot be denied that your complaints are well founded, and that your people have sustained injuries from the rapacity and lawless conduct of our citizens. It is, however, in some degree an unavoidable evil, incident to the present condition of your tribe, and no blame is fairly attributable to the department on that account. It is due to the secretary of war to say, that as soon as he received notice of intruders having presented themselves on your land, he gave orders for their expulsion. These orders will now be repeated, and a military force will forthwith be sent to the assailed parts of your country, for the purpose of expelling and keeping off intruders. And orders will also be given to the district attorney of the United States to prosecute for trespass, all such as may dare to return after their expulsion. You cannot consider it a misplaced assurance, and it is made with the utmost sincerity, that the department cherishes deep solicitude for the welfare of your nation, and will,

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to the extent of its powers, endeavor to promote it. With high respect, your humble servant, ELBERT HERRING.

Messrs. *John Ross* and *others*, Cherokee delegation.

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*Department of war, May* 2, 1833.

SIR: I had the honor to receive your letter of the 26th ult. together with the copy of one from the commissioner of Indian affairs, dated March 14th, and addressed to some of the principal men among the Cherokees.

Before the receipt of your letter, application had been made by some of the Cherokees, to know whether any change had taken place in the opinions of the president, respecting the constitutional right of the executive to remove persons from land claimed by the Indians, where the laws of the state had been extended over such land. They stated that they made the inquiry because some of their people had taken up such an impression, founded on the above letter of the commissioner. Immediate measures were taken to correct this misapprehension, and explanatory letters, copies of which I have the honor to enclose, were written, and despatched to col. Montgomery, the Cherokee agent, major Curry, the special agent for emigration, and to the Cherokee persons who sought the information. These letters will undoubtedly remove any errors which may have prevailed, and will show that the opinions of the president are unchanged. Very respectfully, I have the honor to be, your obedient servant, LEWIS CASS.

His excellency, *Wilson Lumpkin*, Milledgeville, Georgia.

—

*Department of war, office of Indian affairs, May* 1, 1833.

SIR: In consequence of an application from several of the Cherokees, I have been instructed by the secretary of war to call your attention to my letter to you of March 15th, 1833, and to say to you that the provisions of that letter relate solely to those portions of the Cherokee country within the states of Tennessee and North Carolina, and over which the laws of those states have not been extended. The views of the president upon this subject have been too often and too publicly expressed, to leave any doubt of the course which, in his opinion, should be pursued. And this explanation would have been considered unnecessary, had not some of the Cherokees intimated different views. The president yet thinks, as he has always thought, the executive has no constitutional right to apply military force to remove persons from any part of the states of Georgia or Alabama. I am, sir, very respectfully, your obedient servant,

*Col. H. Montgomery.* ELBERT HERRING.

—

*Department of war, office of Indian affairs, May* 1, 1833.

SIR: Enclosed I transmit you copies of two letters of this date, one endorsed to the agent, col. Montgomery, and the other to several of the Cherokees. You will see by these letters, that some misapprehension has existed, or has been effected, respecting the purport of an order sent by this office to col. Montgomery on the 15th March last, for the removal of intruders from the Cherokee country.

That order is intended to operate only upon the Cherokee lands within the states of North Carolina and Tennessee, over which the state laws have not been extended. The views of the executive on this subject have been so well known, that it was not supposed that any mistake could arise. If, however, any has arisen, it will be cleared up by these instructions. I am directed to communicate these facts to you, that you may be aware of the precise views of the president, and that you may correct any erroneous impressions which may have been made, and which may have a tendency to prevent a favorable decision by the Cherokee council, which is about to convene. Very respectfully, your obedient servant, ELBERT HERRING.

*Benjamin F. Curry*, esq.

—

*Department of war, office of Indian affairs, May* 1, 1833.

GENTLEMEN: I have been directed by the secretary of war to acknowledge the receipt of your letter to him of April 5th, and to inform you that no change whatever has taken place in the opinions of the president, so often expressed to your people, and so clearly stated in the letters to which you allude, from the war department, of February 2d and 20th, 1833, as well as in previous communications respecting the constitutional right of the executive to apply military force to the removal of persons from any part of the Indian country over which the laws of the proper states have been extended. My letters to Mr. Ross and others of the 14th March, and to col. Montgomery of the 15th of March, were intended to relate solely to that part of the Cherokee country lying within the states of North Carolina and Tennessee, and over which these states have not extended their jurisdiction. The whole views of the executive were so well known to your people, that it was not supposed that any misapprehension on this subject could have existed. And I am directed to state to you clearly, that the opinions of the president, heretofore expressed, are unchanged, and that no interference with the laws of the respective states on this subject, must be expected. These views have been communicated to col. Montgomery, though they cannot be necessary for his action in the matter. And I am instructed further to express to you the opinion of the president, that the immediate removal of your people, in conformity with the very liberal terms held out to them, offers the only prospect of their permanent and prosperous establishment. Very respectfully, I am, gentlemen, your obedient servant, ELBERT HERRING.

*John Ridge, esq. and others, Head of Coosa.*

## TREATY WITH RUSSIA.

### *By the president of the United States of America.*

A PROCLAMATION.

*Whereas* a treaty of navigation and commerce, between the United States of America and his majesty the emperor of all the Russias—together with a separate article thereto—was concluded and signed at St. Petersburgh on the sixth, (eighteenth), day of December, in the year of our Lord one thousand eight hundred and thirty-two, which treaty and separate article are, word for word, as follows:

*In the name of the most holy and indivisible trinity:*

The United States of America, and his majesty the emperor of all the Russias, equally animated with the desire of maintaining the relations of good understanding which have hitherto so happily subsisted between their respective states, and of extending and consolidating the commercial intercourse between them, have agreed to enter into negotiations for the conclusion of a treaty of navigation and commerce: For which purpose the president of the United States has conferred full powers on James Buchanan, their envoy extraordinary and minister plenipotentiary near his imperial majesty; and his majesty the emperor of all the Russias has conferred like powers on the sieur Charles Robert count de Nesselrode, his vice chancellor, knight of the orders of Russia, and of many others, &c. and the said plenipotentiaries having exchanged their full powers, found in good and due form, have concluded and signed the following articles:

ARTICLE I.

There shall be between the territories of the high contracting parties, a reciprocal liberty of commerce and navigation. The inhabitants of their respective states shall, mutually, have liberty to enter the ports, places and rivers of the territories of each party, wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories, in order to attend to their affairs, and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce.

ARTICLE II.

Russian vessels arriving, either laden or in ballast, in the ports of the United States of America; and reciprocally, vessels of the United States arriving, either laden or in ballast, in the ports of the empire of Russia, shall be treated, on their entrance, during their stay, and at their departure, upon the same footing as national vessels, coming from the same place, with respect to the duties of tonnage. In regard to light house duties, pilotage and port charges, as well as to the fees and perquisites of public officers, and all other duties and charges, of whatever kind or denomination, levied upon vessels of commerce, in the name or to the profit of the government, the local authorities, or of any private establishments whatsoever, the high contracting parties shall reciprocally treat each other upon the footing of the most favored nations with whom they have not treaties now actually in force, regulating the said duties and charges on the basis of an entire reciprocity.

ARTICLE III.

All kinds of merchandise and articles of commerce, which may be lawfully imported into the ports of the empire of Russia in Russian vessels, may, also, be so imported in vessels of the United States of America, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishment whatsoever, than if the same merchandise or articles of commerce had been imported in Russian vessels. And reciprocally, all kind of merchandise and articles of commerce, which may be lawfully imported into the ports of the United States of America, in vessels of said states, may, also, be so imported in Russian vessels, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or articles of commerce had been imported in vessels of the United States of America.

ARTICLE IV.

It is understood that the stipulations contained in the two preceding articles, are, to their full extent, applicable to Russian vessels and their cargoes, arriving in the ports of the United States of America; and reciprocally, to vessels of the said states and their cargoes, arriving in the ports of the empire of Russia, whether the said vessels clear directly from the ports of the country to which they respectively belong, or from the ports of any other foreign country.

ARTICLE V.

All kind of merchandise and articles of commerce, which may be lawfully exported from the ports of the United States of America in national vessels, may, also, be exported therefrom in Russian vessels without paying other or higher duties or charges, of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or articles of commerce, had been exported in vessels of the United States of America. And reciprocally, all kind of merchandise and articles of commerce, which may be lawfully exported from the ports of the empire of Russia in national vessels, may also be exported therefrom in vessels of the

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United States of America, without paying other or higher duties or charges of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or articles of commerce had been exported in Russian vessels..

ARTICLE VI.

No higher or other duties shall be imposed on the importation into the United States, of any article, the produce or manufacture of Russia; and no higher or other duties shall be imposed on the importation into the empire of Russia, of any article, the produce or manufacture of the United States, than are, or shall be, payable on the like article, being the produce or manufacture of any other foreign country. Nor shall any prohibition be imposed on the importation or exportation of any article the produce or manufacture of the United States or of Russia, to or from the ports of the United States, or to or from the ports of the Russian empire, which shall not equally extend to all other nations.

ARTICLE VII.

It is expressly understood that the preceding articles II, III, IV, V and VI, shall not be applicable to the coastwise navigation of either of the two countries, which each of the high contracting parties reserves exclusively to itself.

ARTICLE VIII.

The two contracting parties shall have the liberty of having in their respective ports, consuls, vice consuls, agents and commissaries, of their own appointment, who shall enjoy the same privileges and powers, as those of the most favored nations; but if any such consul shall exercise commerce, they shall be submitted to the same laws and usages to which the private individuals of their nation are submitted, in the same place.

The consuls, vice consuls, and commercial agents, shall have the right, as such, to sit as judges and arbitrators in such differences as may arise between the captains and crews of the vessels belonging to the nation whose interests are committed to their charge, without the interference of the local authorities, unless the conduct of the crews, or of the captain, should disturb the order or the tranquillity of the country, or the said consuls, vice consuls, or commercial agents should require their assistance to cause their decisions to be carried into effect or supported. It is, however, understood, that this species of judgment or arbitration shall not deprive the contending parties of the right they have to resort, on their return, to the judicial authority of their country.

ARTICLE IX.

The said consuls, vice consuls and commercial agents, are authorised to require the assistance of the local authorities, for the search, arrest, detention and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges and officers, and shall, in writing, demand said deserters, proving by the exhibition of the registers of the vessels, the rolls of the crews, or by other official documents, that such individuals formed part of the crews; and this reclamation being thus substantiated, the surrender shall not be refused.

Such deserters, when arrested, shall be placed at the disposal of the said consuls, vice consuls, or commercial agents, and may be confined in the public prisons, at the request and cost of those who shall claim them, in order to be detained until the time when they shall be restored to the vessels to which they belonged, or sent back to their own country by a vessel of the same nation, or any other vessel whatsoever. But if not sent back within four months from the day of their arrest, they shall be set at liberty, and shall not be again arrested for the same cause.

However, if the deserter should be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which his case shall be depending, shall have pronounced its sentence, and such sentence shall have been carried into effect.

ARTICLE X.

The citizens and subjects of each of the high contracting parties shall have power to dispose of their personal goods within the jurisdiction of the other, by testament, donation, or otherwise, and their representatives, being citizens or subjects of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and may take possession thereof, either by themselves, or by others acting for them, and dispose of the same, at will, paying to the profit of the respective governments, such duties only as the inhabitants of the country wherein the said goods are, shall be subject to pay in like cases. And in case of the absence of the representative, such care shall be taken of the said goods, as would be taken of the goods of a native of the same country in like case, until the lawful owner may take measures for receiving them. And if a question should arise among several claimants as to which of them said goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. And where, on the death of any person holding real estate, within the territories of one of the high contracting parties, such real estate would, by the laws of the land, descend on a citizen or subject of the other party, who, by reason of alienage may be incapable of holding it, he shall be allowed the time fixed by the laws of the country, and in case the laws of the country actually in force may not have fixed any such time, he shall then be allowed a reasonable time to sell such real estate and to withdraw and export the proceeds without molestation, and without paying to the profit of the respective governments any other dues than those to which the inhabitants of the country wherein said real estate is situated, shall be subject to pay in like cases. But this article shall not derogate, in any manner, from the force of the laws already published, or which may hereafter be published by his majesty the emperor of all the Russias, to prevent the emigration of his subjects.

ARTICLE XI.

If either party shall, hereafter, grant to any other nation, any particular favor in navigation or commerce. it shall, immediately, become common to the other party, freely, where it is freely granted to such other nation, or on yielding the same compensation, when the grant is conditional.

ARTICLE XII.

The present treaty, of which the effect shall extend, in like manner, to the kingdom of Poland, so far as the same may be applicable thereto, shall continue in force until the first day of January, in the year of our Lord one thousand eight hundred and thirty-nine, and if, one year before that day, one of the high contracting parties shall not have announced to the other, by an official notification, its intention to arrest the operation thereof, this treaty shall remain obligatory one year beyond that day, and so on, until the expiration of the year which shall commence after the date of a similar notification.

ARTICLE XIII.

The present treaty shall be approved and ratified by the president of the United States of America, by and with the advice and consent of the senate of the said states, and by his majesty the emperor of all the Russias, and the ratifications shall be exchanged in the city of Washington within the space of one year, or sooner if possible.

In faith whereof, the respective plenipotentiaries have signed the present treaty, in duplicate, and affixed thereto the seal of their arms. Done at St. Petersburg the sixth (eighteenth) December, in the year of grace one thousand eight hundred and thirty-two.

JAMES BUCHANAN.
NESSELRODE.

SEPARATE ARTICLE.

Certain relations of proximity, and anterior engagements, have rendered it necessary for the imperial government to regulate the commercial relations of Russia with Prussia and the kingdoms of Sweden, and Norway by special stipulations, now actually in force, and which may be renewed hereafter; which stipulations are, in no manner, connected with the existing regulations for foreign commerce in general; the two high contracting parties wishing to remove from their commercial relations every kind of ambiguity or subject of discussion, have agreed, that the special stipulations granted to the commerce of Prussia, and of Sweden and Norway, in consideration of equivalent advantages granted in these countries, by the one to the commerce of the kingdom of Poland, and by the other to that of the grand dutchy of Finland, shall not, in any case, be invoked in favor of the relations of commerce and navigation, sanctioned between the two high contracting parties by the present treaty.

The present separate article shall have the same force and value as if it were inserted, word for word, in the treaty signed this day, and shall be ratified at the same time.

In faith whereof, we, the undersigned, by virtue of our respective full powers, have signed the present separate article, and affixed thereto the seals of our arms. Done at St. Petersburg the sixth (eighteenth) of December, in the year of grace one thousand eight hundred and thirty-two.

JAMES BUCHANAN.
NESSELRODE.

And whereas the said treaty and separate article have been duly ratified on both parts, and the respective ratifications of the same were, this day, exchanged at the city of Washington, by Edward Livingston, secretary of the United States, and the baron de Krudener, envoy extraordinary and minister plenipotentiary of his majesty the emperor of all the Russias, in the said United States, on the part of their respective governments:

Now, therefore, be it known, that I, ANDREW JACKSON, president of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States, and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, the eleventh day of May, in the year of our Lord one thousand eight hundred and thirty-three, and of the independence of the United States the fifty-seventh.

[L. S.]

ANDREW JACKSON.

By the president:
EDW. LIVINGSTON, *secretary of state.*

PRICES CURRENT—*Baltimore, May* 31. Flour, best white wheat, 6 75@7 25; "Howard street" 5 50@5 62½; other 5 50@6 00; best red wheat 1 17@1 22—white 1 26@1 30; corn 62@64, rye 70@72; oats 37½@41; clover seed 8 00. Whiskey, 1st proof, 29@32. Wool—full blooded merino, washed, 38@42; unwashed 22@25; common, washed, 25@28; unwashed 16@18. Beef on the hoof 5 75@6 50. Oak wood 2 50@2 75; pine 2 00. [*American Farmer.*

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 15—VOL. VIII. BALTIMORE, JUNE 8, 1833. [VOL. XLIV. WHOLE No. 1,138.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞We have expended a great deal of extra editorial and mechanical labor to present our readers with a *condensed* view of the commerce and navigation of the United States, for the year 1832; intending, in a few pages, not only to give every generally useful fact and figure found in the 8vo. volume of 298 pages, but have also made large additions—that the business of the last may be, (without trouble to our readers), *compared with that of the preceding year*. It is so arranged that the part yet to be published will be inserted in the first pages of the next number, and the whole present one continued mass when the volume is bound. These are about the most valuable documents which issue from the departments, and thanks are due to Mr. *McLane* for the more than usually prompt publication of the tables, for the last year—by which their interest is much increased.

So much time and close attention have been paid to these tables, that several other things, about which we would have said something, have been passed over, concerning the bank of the United States, &c. with a hint or two to the weather-cock and venerable editor of the "Richmond Enquirer"—whose disposition to please seems to have deprived him of a power to discriminate between "a hawk and a hand-saw"—unless the wind is from the *south west*. A directly southern breeze no longer screws him up—though even an exact return of his own *former* "STATE RIGHTS" gales. That is forbidden—by proclamation! "Curses" are blessings—and blessings are turned into curses, "at the shortest notice"—the prevailing wind being from the *right* quarter. *Obsta principiis* is changed into *finis coronat*—or, "the end justifies the means;" which, being further interpreted into the vernacular tongue, signifieth "wearing a collar." We may have a little room and time, next week, to bring up leeway—but the primary object of the REGISTER shall not be neglected in the observance of things so transient as sayings and doings like those referred to. They are as small eels not worth the skinning, except in a season of perfect leisure—or in mere sport!

☞The president of the United States, accompanied by Mr. McLane, secretary of state, Mr. Cass, secretary of war, and Mr. Donnelson, his private secretary, arrived in this city, on Thursday, on his tour to the east. He was very handsomely, and most respectfully introduced to Baltimore, by the rail road—the carriages being drawn by a fine locomotive engine; and so received by the committee appointed for that purpose. Accommodations had been provided for him at Newcomb's, [Indian Queen] hotel—where he, yesterday, received the salutations of a very large number of our citizens, of all parties. He departed to-day in the steamboat Kentucky, for Philadelphia—and will stop there until Tuesday.

On leaving the rail road, the president took his seat in an open barouche, with general Samuel Smith and James H. McCulloch, esq. and, as he passed on to his lodgings, was greeted by masses of the people. His suite followed in another carriage.

We have not time to go into details—but may briefly notice some of the principal incidents which happened in this city, or shall happen at other places, visited by the president.

CHOLERA. We shall continue our notices of this disease. It does not appear to have any respect to the season, hot or cold, wet or dry—or to high lands or low lands; but many believe that the diet and habits of individuals have considerable influence to extend or restrain its ravages—and hence some suppose that, as the season of fruits advances, the cholera will become more general and fatal. But the *laws* of this disease—why it comes or wherefore it departs, are altogether mysterious, and, most probably, will forever remain so.

*Memphis, Tennessee, May* 15. This frightful and mysterious disease has again made its appearance among us. Several deaths have occurred during the past week, but, we are happy to say, that, out of the many, we can enumerate but three of our citizens. Steamboats pass frequently, and we learn from passengers that the cholera is raging below, to an alarming extent.

*Wheeling*. The report of the board of health of May 31, announced 37 cases for the last three days—14 of which terminated fatally—23 cases remaining. Among the late victims were persons of the most respectable character, and best habits.

Letters from Wheeling of the 1st inst. give terrific descriptions of the ravages of the cholera, at that place. Since the 16th May, there had been more than seventy funerals. One of the bank robbers had died in jail, and another was sick. The venerable Noah Zane was said to be at the point of death.

*Washington, Pa.* One fatal case has happened in this borough—supposed to have been contracted at Wheeling.

At *Maysville, Ken.* the cholera broke out on the 29th ult. and, in 48 hours, carried off ten persons—and nine more were to be interred on the morning of the 31st! But the disease seemed to be already moderating. The "Eagle and Monitor" says ☞Our friends need not expect a paper next week, as it will be totally out of our power to issue one.

*Ohio.* It is reported that the disease had shewn itself in several of the towns of this state.

*On the Mississippi*. It was stated, at New Orleans, that the steamboat Chester had lost 100 of her passengers by the cholera, on her way to St. Louis! She had 150 United States troops and many Swiss emigrants on board. It was hoped that this report was much exaggerated.

THE FLOODS. The Virginia papers speak of great damages sustained by risings of the James, Appomattox and Pamumky rivers—the wheat fields, on the low lands, being completely drowned. The injury on three farms, at Dover, is estimated at $15,000. One field on the Pamumky of five hundred acres, and expected to produce 7,000 bushels, has nearly all been drowned. The whole loss is supposed to amount to one million of dollars.

EMIGRANTS FROM EUROPE are beginning to pour into the United States. Many tens of thousands may be expected in the present season. From Ireland, England, Scotland and Wales, many will come; but the greater number, most probably, from Germany. And emigration from the latter will gather strength as it proceeds, as well in promoting a better knowledge of the real condition of things in the United States, in advices from those who have settled here, as because of increased abridgements of the rights and comforts of the German people—to whom only the alternative of a dark and awful despotism, or a bloody civil war, seems presented.

Many of the emigrants who are coming from Germany are of the best, or productive classes—and a large number of them have some money to begin a new life with, in America. Others, who are mere day-laborers, may find abundant employment on the rail roads and canals that are making, in several of the states. In general, they are patient and industrious, and *exceedingly* economical.

COTTON. Sales at Liverpool for the week ending April 24.

| | *Ord. to midl'ng.* | *fair to good fair.* | *good to fine.* |
|---|---|---|---|
| Uplands 6¾ | 6¾a6 7-8 | 7¼a7¾ | 7¾a8 |
| Orleans | 6½a6 7-8 | 7¼a7¾ | 8,8¼a9 |
| Mobile | 6¾a6 7 8 | 7¼a7¾ | 7¾ |
| Alabama & Tennesse | 6½a6¾ | 7 a7¼ | 7½ |

COTTON AND WOOL. In the late debate in the British parliament on the currency, the following statement was made by Mr. Poulett Tompson:—

In 1820, 152,000,000 lbs. of cotton-wool were imported; in 1832, the imports amounted to 259,000,000 lbs. an increase of 70 per cent. In 1820, the consumption of sheep's wool was 9,778,000 lbs.; in 1832 it had increased to 27,666,000 lbs. an augmentation of 183 per cent.

☞In 1840—we have no manner of doubt, that the manufacture of cotton in the United States would have equalled that of Great Britain in 1820, had the tariff, with respect to cotton goods, remained untouched; but no one, we think, can make any safe calculation on this subject now, unless in a great reduction of the price of labor. And we pray most earnestly, that, if the working



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people in our factories must be brought down to the white-slave condition of those of England, that we may enter into a full competition with England—such competition will not be attempted! We cannot support manufactures at such a cost of human happiness. At present, they are the blessing of the poor—we speak generally; but, in the case stated, would be the curse.

British duty on cotton. When introducing "the budget" into the house of commons, lord *Althorp* proposed to take off the additional duty on cotton, laid in 1831—no doubt because of the increased manufactures of cotton goods in the United States, and on the continent of Europe, with all which the English manufacturers are much alarmed. Speaking of the reasons that induced the additional duty in 1831, he said—"I do not propose to put raw cotton on a better footing than it was when the addition to the tax in 1831 was proposed. I propose only to take off that amount of tax (as nearly as I can calculate it) which was imposed on that occasion. Previous to that period, there was an *ad valorem* duty upon the pound of raw cotton to an amount which might be equivalent to three eighths of a penny, to which was then added two-eighths of a penny, making the whole about five-eighths of a penny per lb. the result of that being that the whole amount of the duty on cotton for the last year, had been £626,000. It has been estimated that the portion of the duty imposed in 1831 might be about £326,000—but I do not think its reduction will diminish the revenue more than £300,000. In most cases where a duty is reduced, we may calculate on the deficiency being partially made up by an increased consumption, but in this case I cannot anticipate such a result. The noble lord then said that he intended to substitute for the *ad valorem* duty a fixed duty of five-sixteenths of a penny per lb. and, in answer to an observation of an honorable member, he did not believe that the gentlemen connected with the importation of cotton would have any objection to a fixed duty.

Exports. The "Telegraph" refers to the treasury tables, and shews that the exports of cotton, tobacco and rice, in 1832, had a value of $39,877,082—leaving only about $23,000,000 for the value of all other domestic products; and "recommends the subject to the consideration of all its readers."

And what of that? Forty millions seems a great sum—but does not supply the people of the United States with *leather*, and its manufactures—our *boots* and *shoes*, and *hats!* And the annual creations of value in *manufactures*, of all sorts, which have their centre at either of the cities of Boston or Philadelphia, are, perhaps, nearly or quite equal to that of all the cotton, tobacco and rice exported. And the *domestic* market for the *products of the land*, because of manufactures, is far, far greater, than the *foreign* one for the commodities named.

The tariff. *From the United States Gazette.* We know not, we never pretend to understand, what the Globe intends by its paragraphs; but those who have an eye to the political barometers of the day, may infer something from the fact that "the Globe" has come out in behalf of the wool growers, preparatory, perhaps, to a further advocacy of the old tariff. We copy from that paper the following paragraph:

"There is one class, however, in the north, that Messrs. Clay and Calhoun seem to have forgotten in their arrangement—but, perhaps, they imagined that they would not, as a body, perceive and resent the injury done them. We mean the farming class. To foster the great manufactories of coarse woollens, coarse wool from foreign countries is admitted *duty free;* and by withdrawing, gradually, all adequate protection from the better woollen cloths, worn in the northern and middle states, of American manufacture, the *wool* which is the growth of our own country, and which has hitherto formed the material for this class of woollens, is excluded from all encouragement, and in fact, deprived of a market. This, according to Mr. Niles, is not only cutting the throats of the sheep, but taking from agriculture the only direct advantage it has ever received from the protective policy."

When the Globe is out for the sheep, wo to the fleeces.

["This [*is not*] according to Mr. Niles." The editor of the "Globe" knows about as much of the history of the tariff law of 1828, and concerning the high duty imposed on coarse wool, as of—the pursuit of a plain and honest political course: else he covers that knowledge, as he disregards truth, when "convenience serves." The high duty on coarse wool was supported on the same principle as the foolish duty of 10 cents per gallon on molasses—*to defeat the bill of* 1828.]

Ex-lieutenant Randolph. We mentioned, in the Register of the 18th ult. that the conduct of certain "*miserables*" seemed to make it appear that they rejoiced in the indignity inflicted on the person of the president of the United States, by Mr. Randolph, as "furnishing matter to feed their scurrilous appetites upon;" and we said that the conduct of these appeared to render it our duty, as a "faithful chronicler," to *record* certain articles on this abominated subject, which have been laid aside for that purpose: but we have, at least, deferred the publication of them, because unwilling to do any thing that might keep up, or increase, the excitement which the "miserables" are still attempting to make. We promptly, and decidedly, expressed our opinion concerning this outrage—as we had expressed it on *previous* occasions; but cannot bring our mind into a belief that the person of the president is *more* "sacred" than that of a representative of the people; though the late offence was much aggravated, because of its action upon an old and venerable individual. But if the *right* to avenge a private wrong, on the person of a public agent, be admitted—there can be no limit to its extent, unless in the extent of private passion and power*—every man becoming a judge *in his* own case; and thus society is loosened from all the sober and just restraints which the law of the country, supported by the moral sense of the community, imposes. This principle cannot be admitted—nor will its practice be suffered.

But we have seen much about the pursuit of Mr. Randolph, *without* the District of Columbia, in which his offence was committed; and it is even stated, in the "New York Journal of Commerce," that the *U. S. revenue cutter* is employed in boarding ships from that port (after they get to sea), and in stopping and searching them, for him! We regard these as very extraordinary, and dangerous, proceedings; and would like to have a homily from the invariable Mr. *Ritchie*, on "state rights," as affected by such conduct. An offender against the laws of the United States, may be arrested any where within the United States—but we are totally ignorant of any written *law* which renders the person of our president more sacred than that of the meanest of our citizens. The *moral law* may make a great, and a very proper, distinction in the cases stated; but it was not the *latter* law which influenced Mr. Randolph in the assault—nor will it sustain persons in such attempts to arrest him. The ex-lieutenant, we understand, proceeded to Virginia, to make arrangements for the interment of the remains of the late John Randolph—but it will not at all surprise us, if he puts himself in the way of being arrested, that *the* law may be ascertained by the verdict of a jury of his countrymen.

Removals or "reform." It appears that the great scheme of "punishments and rewards," at Washington, has been laid aside—for the present. The "National Intelligencer" of the 1st inst. says—

"We are glad to hear it reported, in such a manner that we believe it, that the president of the United States has literally fulfilled the wish of our editorial friend at Philadelphia, by throwing the *proscription list* under the table; that is, he has determined to pay no regard to it. Some would have it, that he has expressed his disapprobation of this new scheme of reform, even more strongly than by a mere negative upon it. These modern reformers *have over-shot* the mark."

☞The *history* of this proceeding is curious. That a *set* of "little ones" had determined to bring about a revolution in the public offices at Washington—to "punish" without cause, and "reward" without discretion—except in a pledge of the "rewarded" to creep and crawl as directed, with a view to *future* political jugglings, seems undoubted; but certain of the secretaries are said to have interposed, and the president himself would not "go it"—and the "little ones," perhaps, by grasping at too much, like the "boy and the filberts" in the fable, may be

*On this principle it is, that many individuals are ready to relieve the outrage on the president, by committing an outrage on Randolph!

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made to "cry out," because of the "committal" which they *happened* to make.

The editors of the "National Intelligencer" have placed Mr. *Ritchie*, of the "Richmond Enquirer," in a very ridiculous position, concerning this business. We have had "queer notions" about the latter—yet hardly thought that, at the *same time*, he would "look two ways for Sunday."

But there is a great deal in *being used* to twisting. "All sorts of turning done here,"—is marked on the sign-board; but such artists do not turn *both* ways at the same moment.

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CHESAPEAKE AND OHIO CANAL. *From the National Intelligencer of June* 7. An adjourned meeting of the stockholders of the Chesapeake and Ohio canal company was held yesterday, and continued to a late hour in the day. Every effort to procure a delay of a few days, or until the general committee should have reported, was voted down by the united vote of the United States and the corporation of Washington; Maryland and Georgetown being *divided*, and Virginia and Alexandria resisting in vain. In the end, the election of officers was held, and the following gentlemen were elected, to serve for the ensuing year, viz:

*President*—John H. Eaton, of Tennessee. *Directors*—Walter Smith, of Georgetown, Phineas Janney, of Alexandria, William Gunton, of Washington, John I. Abert, U. S. Army, William Price of Maryland, and Richard H. Henderson, of Virginia.

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THE REV. MR. AVERY, charged with the seduction and murder of a young girl named Cornell, has had a long and most arduous trial, at Newport, R. I. but the jury, after being out sixteen hours, returned a verdict of *not guilty*, and he was discharged. The papers are filled with disgusting particulars of the evidence. It seems to have been a very *extraordinary* affair—and one of fearful import.

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POTOMAC BRIDGE. An extract of a letter from Washington, published in the New York Journal of Commerce, states that the contemplated granite bridge across the Potomac, of 43 arches, had been let by contract to a company from Pennsylvania, for $1,400,000. The writer adds—"There were 17 offers, which ranged from that sum to $7,500,000—and I am of opinion; that the highest is too low. In some places the water is 45 feet deep."

[A "pretty considerable" range of estimates, if the figures be correctly given—from 1,400,000 to 7,500,000 dollars, for the same work!]

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THE BUNKER HILL MONUMENT. The affairs of this monument have been taken up by able hands—*working-men*—the "Massachusetts Charitable Mechanic's Association," of which Mr. Buckingham, editor of the Boston Courier, is president; and the probability now is, we are happy to say, that it will soon be completed. We intend to recur to this subject, at some season of leisure, and insert the address, with Mr. Everett's speech, &c.

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BLACK HAWK, &c. *From the Globe of June* 1. We understand that a report having been received from gen. Clark, the superintendant of Indian affairs at St. Louis, in which he expresses the opinion, that the Sac prisoners may be restored to their friends without affecting the interests or safety of our citizens, and that their release would be peculiarly gratifying to the friendly chiefs; and *Ke-o-kuk* and his associates themselves having solicited their discharge from confinement, and pledged themselves for their good conduct, preparations have been made for their return to their homes.

We learn that they (Black Hawk & Co.) will be conducted through the principal cities, with a view to exhibit to them the extent of the population and of the country, its wealth, resources, and means of defence, and to impress them with a conviction of its strength and power, which will be productive of lasting good consequences. They will probably leave Fortress Monroe early in the next week, proceed as far east as Boston, hence to Albany, Buffalo and Detroit. Their subsequent route will then be determined by the officer having them in charge.

[Black Hawk, &c. arrived in Baltimore on Thursday last.]

NEW HAMPSHIRE. Joseph M. Harper, Franklin Pierce, Benning M. Bean, Henry Hubbard and Robert Burns (all Jackson) have been elected members of congress from this state, by an average vote of about 23,000. The national republican ticket had about 6,000, and the anti-masonic 1,500. There was no regular opposition to the first named ticket.

The legal provision for the support of schools in New Hampshire is certainly a very liberal one. The sum of ninety thousand dollars is required by law to be annually raised and appropriated to this purpose; and the amount annually accruing to the state from the tax paid on banks (about 10,000) is distributed among the several towns in sums proportioned to the state tax paid by them respectively, to be applied in the same manner. A proportionate sum would amount, for the state of New York, to more than $600,000.

## BRIEF NOTICES.

Col. William McRea, a distinguished officer in the late war, recently died at St. Louis, of the cholera.

E. Buckingham, jun. junior editor of the "Boston Courier," lately died at sea, when on a voyage for his health, aged 24—a young man of superior talents, and excellent character; and who promised to become an ornament to the profession.—[We beg leave to offer our sympathy to his father—our much esteemed friend, and do it *feelingly*—from *two* like cases.]

Two volcanic islands have lately appeared in the neighborhood of Cyprus.

Mr. Thomas P. Moore, late minister of the United States at Bogota, has arrived at New York, and brought with him the remains of Mr. Anderson, who previously represented the United States, at Bogota. All was quiet in New Grenada.

It is stated in a *French* paper, that the French navy department intend to substitute in the government ships, iron wire ropes for the usual cordage in the rigging; and that this change will effect an annual saving to the amount of 300 or 400,000 francs.

Col. Wm. Wynne was offered and refused $8,000 for the "beautiful and accomplished" Mary Randolph, [a mare] who at present is enjoying "life in New York!"

Romulus M. Saunders, of North Carolina, has been appointed by the president, to be a commissioner under the law to carry into effect the convention with France, in the place of Thomas H. Williams, resigned.

George Breathitt, jun. brother of the governor of Kentucky, and who acted, occasionally, as private secretary of the president, died at Washington a few days ago.

The Louisville Focus states that the business of that city is very brisk. On the 23d ult. *thirty-five* steamboats were lying there, whose aggregate burthen was at least eight thousand tons. The health of the place is also good.

The Columbia, (Penn.) Spy of Saturday last says, that the Susquehannah river had been in good condition for the descending trade for a week previous, and that the number of arks and rafts that had come down in the same time was perhaps never before exceeded.

The rail road and steamboat line between Philadelphia and Baltimore arrived at the latter, on Tuesday last, in 7*h*. 50*m*. the quickest passage yet made. Distance about 120 miles.

Christopher Bechtler, a gold refiner in Rutherford county, N. Carolina, states that he has coined at his establishment, since the 18th June, 1831, as follows:

| | |
|---|---|
| Coined in $5, $5 50 and $1 pieces, | 104,330 dwts. |
| Fluxed, | 259,780 dwts. |

A long-concealed pot of Spanish dollars has been discovered in digging the cellar for a house in Germantown, Pa.

Some person has made the following *exact* estimate of the property of the late Mr. Randolph! Four thousand acres of river land, averaging $20 per acre, $80,000; two hundred negroes, at $300 each, $60,000; horses, carriages and furniture, $15,000; books and wine, $10,000; ready cash, $10,000—making an aggregate of $175,000.

[The Fredericksburg "Arena" says—The rumor we gave in our last, upon the authority of a New York paper, that Mr. Randolph had provided for the manumission of his slaves, is, we believe, well founded. The *Compiler* says the number is more than a hundred. We have it from a good source that the number is not far short of *five hundred*.]

By the present arrangement of the steamboats and rail road cars, passengers may proceed from Philadelphia to Baltimore, and back again the same day. Time of travelling from 6 A. M. to 10½ P. M. with 30 minutes for business in either of the cities.

Another venerable and valued citizen has departed. *Oliver Wolcott*, esquire, died at New York, on the 1st inst. in the 74th year of his age. A sketch of his character is laid off for insertion.

The Camden and Amboy rail road company are doing a heavy business. About seven hundred passengers travel in their different lines daily, and the number is continually on the increase.

Mr. *Webster* is on a journey to the west, and is every where received with the highest marks of respect. At Utica, N. Y. he was called upon by several hundred persons, of all political parties. A well deserved compliment to his character and talents.

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## FOREIGN NEWS.

*From London papers to the 23rd April.*

GREAT BRITAIN AND IRELAND.

In the house of commons on the 17th, Mr. *Grant* brought forward his motion for the emancipation of the Jews, which, after an interesting debate, the motion was put and prevailed, without a division.

On the same day, a motion was offered requiring a return of the number of American ships, with their registered tonnage, entered inwards into the port of Liverpool from New York, from 1st January, 1832, to 1st January, 1833. A like return of British ships for the same period. Also, return of the number of bales of cotton entered inwards into the port of Liverpool from the United States in foreign ships from 1st January, 1832, to 1st January, 1833. A like return in British ships for the same period.

Mr. *O'Connell* called the attention of the house to the proclamation of the lord lieutenant of Ireland, requiring the government to give the reasons for applying the late act to Kilkenny. After some debate, the question was taken, when only twenty-eight voted in favor of Mr. O'Connell's motion. There were 143 members present.

On the 18th, lord *Althorp* moved for leave to bring in a bill for the commutation of tithes. His lordship stated that the amount of the whole church revenue in England did not exceed £3,500,000,* and that the average income of the clergy, including deans, archdeacons and prebendaries, was not more than £300 per annum. The measure he proposed was, in the first place, to give permission to the tithe payer and the tithe receiver to make a perpetual commutation at a corn rent, varying according to the price of corn; and if at the end of the year the parties should not have agreed, then to make a commutation of the tithe compulsory, at the wish of either the payer or the receiver; the amount in such case to be fixed by tithe valuers appointed by the bishops and the magistrates at quarter sessions. The tithe receiver to have the option of being paid in money or grain, and in case of his preferring the latter mode of payment, the payer to have the selection of the kind of grain in which payment is to be made.

[The leave asked, was granted after debate. The principles of the bill seemed approved, but some of its details were objected to.]

Mr. *Hume* moved two resolutions relative to sinecure offices; the first of which was, "that in all future vacancies of sinecure offices in the civil and colonial service of the country no new appointments to such vacant offices shall be made with any salary, fees or emoluments thereto attached;" and the second resolution was, "that no person shall receive any salary, fee or other emolument, from any office to which he may be appointed, the duties of which are, or shall be performed by deputy." Lord Althorp did not object to either resolution, and after a few observations, by several members, both resolutions were agreed to.

On the 19th, lord Althorp made his financial statements, or offered the "budget." He proposed to reduce the duties on advertisements, on marine insurance policies, on shop windows, soap and raw cotton—the latter one-third; and abolish the taxes on carts, clerks, porters, riders, &c. His recapitulation presents the following reductions:

| | |
|---|---|
| 1. Tiles—whole duty . . . . . | £37,000 |
| 2. Marine insurance—estimated diminution | 100,000 |
| 3. Advertisements—do. . . . . . . | 75,000 |
| 4. Assessed taxes—reduction of house and window duty on shops . . . . . . | 244,000 |
| 5. Cotton—reduction of additional duty imposed in 1831 . . . . . . . | 300,000 |
| 6. Soap—(half present duty) . . . . | 593,000 |
| | £1,349,000 |
| Estimated return on soap . . . . | 293,000 |
| Probable loss to revenue . . . . . | 1,056,000 |

Lord A. mentioned many savings which had been made—in parliamentary places, diplomatic expenses, and in the abolition of offices, retired list. The places abolished were 1,387, at an average annual value of £173 10*s.* each.

The following extract from his speech may be sufficient to give a general view of the revenues and expenditures of the United Kingdom:

"I shall now begin my financial view, by stating the amount of the income and expenditure for the year between the 5th of April, 1832, and the 5th of April, 1833. The amount of the income for the year was £46,853,000; the amount of the expenditure was £45,366,000, leaving an excess of income over expenditure of £1,487,000. The committee will, I have no doubt, recollect that in the estimates I made last session, I stated the probable excess of the income over the expenditure below this. I only calculated the excess at £800,000; but I am happy to say that by the reduction of expenditure, the excess of income over expenditure, £1,487,000, will more than enable us to cover the deficiencies of the preceding year. (Cheers.) That deficiency the committee will recollect was £1,200,041. Taking the two together, the committee will see that the improvement on the revenue of the present year is not less than £2,728,000. (Cheers.) I will now state what the income of the country was for the two years. For 1832 it was £46,618,000; for 1833 it was £46,853,000. Showing an excess in the latter year of only £235,000, and proving that the surplus on the year arose from the expenditure being considerably reduced.

"The expenditure for the year ending April, 1832, was £47,859,000; for 1833, £45,366,000, the diminution being £2,493,000 for the last year. It will be seen from this statement that the improvement which has taken place may be expected to be greater in the following year, because it does not depend on any accidental increase of revenue, but on the economical management of the public funds, and on the saving thereby effected. I will now state more in detail the income and expenditure of the last year. The income last year from the customs was £16,769,621; from the excise £16,529,131; from the stamps £6,857,540; from taxes £5,003,937; from post office £1,453,900; from miscellaneous sources £238,526, making a total of £46,852,650. I will now state the expenditure. The sum charged for the debt, including interest on exchequer bills—the whole sum charged to the consolidated fund for the debt was £28,225,891. The other charges on this fund were £1,859,248; making the whole charges on the consolidated fund £30,084,239. The expenditure of supplies was—for the army £7,006,496; for the navy £4,505,000; for the ordnance £1,634,817; for the miscellaneous service £2,138,953; making a total of £45,365,507.

"The expenditure for the preceding year was—for the army £7,551,000, which last year was reduced to £7,006,498; the expenditure for the navy in the preceding year was £5,842,835, and in the last year £4,505,000; the ordnance for the preceding year was £1,478,944, and for last year £1,634,812, being an increase of £155,878; the miscellaneous was £2,900,430 in the preceding year, and in the last year it was £2,133,953, showing a diminution of about £800,000. I have already stated the balance of the revenue over the expenditure, for the last year, at £1,487,000; and I will now calculate what is likely to be the estimated balance of the ensuing year, supposing no alteration in the duties, and that the revenue should remain as at present. The whole amount of the revenue for the year will be £46,494,128; and I do not take it at so large a sum as last year. I look for a reduction in the excise; because the arrears of the malt duties, which were due at the close of last year, were much greater than were due at the close of the present year. The charges on the consolidated fund for the present year will not be the same as for the past year. I have obtained an estimate of the increased charge, and the expenditure charged on the consolidated fund for the year will not be less than £30,300,000."

On the 19th, a deputation, consisting of more than three hundred persons, representing the sentiments of those who are desirous for the immediate emancipation of the slaves in the West Indian colonies, waited upon lord Althorp and Mr. Stanley at the foreign office. On the same evening in the house of commons,

Mr. *Stanley* said that a notice of motion given by his noble friend (lord Althorp) on the subject respecting which the feelings of the country were much excited, stood for Tuesday—he meant the motion respecting colonial slavery. Although it was most important that the views of his majesty's government, with regard to that subject, should be stated to the country as early as possible, yet, under the circumstances under which the question came into his hands, he trusted he should not trespass too largely on the indulgence of the house if he asked to be allowed to postpone the motion from Tuesday next till Tuesday the 14th of May. (*Hear, hear.*)

The papers by this arrival contain the proclamation of the lord lieutenant, for the suppression of the Irish volunteers.* After the preamble reciting the *whereas*, the operative part of the proclamation is given in the following terms—

"Now, we, the lord lieutenant general and general governor of Ireland, deeming the said association, called 'The Irish volunteers,' to be dangerous to the public peace and safety, and inconsistent with the due administration of the law, do, by this our order in writing, prohibit and suppress the said association: and we do further, by this our order, prohibit every and any adjourned, renewed, or otherwise continue meeting of the said association, or of any part thereof, under any name, pretext, shift, or device whatsoever.

"Given at his majesty's castle of Dublin, the 10th day of April, 1833. By his excellency's command,

"W. GOSSETT."

The following document contains the general instructions to the military in reference to the performance of their duties under the suppression bill.

*General order.*

*Adjutant-general's office, Dublin, April 11.*

1. In the discharge of the important duties they may be required to perform in the county of Kilkenny, the lieutenant general commanding the army in Ireland calls on the officers, non-com-

*He said that the income of the church was grossly exaggerated. It had been asserted that it amounted to £9,000,000. Now, the incomes of the bishops (including the bishopric of Sodor and Man), were £158,000; that of the deans, &c. £236,000; and that of the parochial clergy he estimated under £3,000,000; so that, instead of £9,000,000, the amount was not three and a half millions.

[This is a very different account from that generally given. The sees of the bishops have been reported as *worth* a much larger sum.]

*The "National Trade's Political Union" was, in like manner put down on the 17th April.

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missioned officers and soldiers, to exercise the utmost possible caution; and whilst by their exertions in aid of the civil authorities, they mark their determination to use their best endeavors to prevent outrage and restore order, he has no doubt that they will by their good conduct and kindness towards the inhabitants, obtain their confidence, and conciliate their good will.

2. Officers having the commission of the peace must above all things, be most careful to confine themselves strictly within the powers conferred on them by law.

3. All those acting as magistrates, and all others in command of detachments, will take every pains to acquire a knowledge of the dangerous characters resident in the vicinity of their quarters, and in conjunction with the police, to apprehend such as are charged with crime, or who, being suspected of it, are found transgressing the law, by being absent from their houses, between the hours when such absence is illegal; in order to effect this, patrols of police, and military combined, should be frequently made at different times of the night, and with the utmost secrecy.

4. Force will never be used when the object can be otherwise obtained: but against those who resist the law, the troops will do their duty.

*By* command of the lieutenant general commanding.

GEORGE D'AGUILLAR, *dep. adj. gen.*

The *influenza* is raging generally in London. Many distinguished individuals have been attacked; but not many persons had died of it. The generality of the disease may be esteemed from these facts—that the business of several of the courts was interrupted—that nearly *eight hundred* of the London police were sick—that the Italian opera, Covent Garden, Drury Lane, the Haymarket and Strand theatres, were all closed, because of the illness of performers, though at one of them a play had been "ordered by her majesty." It is said—"there is not an inhabited house within the bills of mortality, in which there has not been one or two sufferers." Those who live in damp situations suffer most.

The same disease prevails in Dublin.

The first practical exhibition of martial law in the "proclaimed" district of Kilkenny took place on the night of the 14th of April, when 8 men were taken up, being found out of their houses at 11 o'clock at night; some of them at a public house. They were brought before a board of magistrates, consisting of the deputy mayor, Joseph Greene, resident county magistrate; the recorder, and Aldermen Robinson and Gore, by whom they were desired to give an account of themselves. It appeared they were from home through inadvertence or carelessness, "as they intended no harm," and were discharged with an admonition from the bench. It appears that no military authorities sat in judgment. Two others were not so fortunate, and were committed.

The Whitefeet were yet active in outrages.

The reverend sir Rowland Hill died on the 10th April, in the 89th year of his age.

PRUSSIA, &c.

An article from Berlin of the 6th of April, says,

"The appearance of a new disorder, called the white plague, which is probably only a modification of the cholera, does not excite so much alarm as the latter disease did two years ago. This new disorder is said to have reached the Vistula, and in some places to have passed it, and to be a diarrhœa, which very soon proves fatal. The influenza rages here in an extraordinary degree, and the small pox and measles, which preceeded it, abate very slowly. In the school for cadets, 90 boys are ill of the latter disease, but none have died."

FRANCE.

The detachment of Polish refugees which left Besancon in the night of the 7th of April, consisted of three colonels, six lieutenant colonels, 12 majors, 68 captains, 96 lieutenants, 204 second do. 8 non-commissioned officers and 25 privates.

At the sitting of the chamber of deputies on the 19th April, the discussion of the budget of ways and means, for 1833, was resumed and finally adopted, by a vote of 198 to 34. The amount required and agreed to was 966,870,548 fr. including 1,705,000 fr. the estimated receipts from Algiers.

According to a royal ordonnance dated the 4th of April, rectifying several tables of the population of France annexed to the ordonnance of May 11, 1832, it appears, says a Paris paper of the 20th, that the total population of the kingdom amounts to 32,666,072 souls, being 2,138 more than in the first tables.

Four *more* physicians have been sent to attend upon the duchess of Berri!

It is said that Lucien Bonaparte is about to visit the United States.

HOLLAND AND BELGIUM.

Another diplomatic note, signed by Talleyrand and Palmerston, is published—but things remain as they were.

GERMANY.

The diet has availed itself of the pretence afforded by the riot at Frankfort on the 3d of April, to introduce the troops of Austria into that city, to keep the inhabitants under closer subjection. Prussia, too, which is always on the alert to enforce the principles and decrees of despotism, has quartered a body of troops in the environs. Measures are also said to be in agitation by the diet to suppress, still more effectually, any murmurings of the press.

Frankfort is called a "free" city, and the people are very indignant at being thus garrisoned. The Gazette of the 11th April says—"Our town remains perfectly quiet, but the posts are still doubled, in order to prevent any farther disturbances. Screens have been fixed to all the windows of the prison which look towards the street since the confinement of the political prisoners. This will not deprive them of light or air, but will only prevent their being seen from without."

TURKEY AND EGYPT.

Some negotiations appear to be going on between the sultan and the pacha. The Russian fleet remained in the Bosphorus, and Russian troops were on their march for Constantinople. An Egyptian fleet of 30 sail was said to be off Tenedos, thought with a view of blockading Constantinople, if the British and French shall not interfere. Ibrahim, with 80,000 men, was reported as advancing from Koniah, with the supposed purpose of attacking the Turkish castle on the Asiatic side of the Hellespont.

GREECE.

The French troops were just about leaving Greece.

LATER NEWS.

*From London papers to April 30, inclusive.*

GREAT BRITAIN AND IRELAND.

In England the ministry have been left in a minority on the malt tax, half the duty on that article having been remitted by a majority of 10, which, by some of the English editors, is thought to be a virtual annihilation of the budget of the chancellor of the exchequer. The Times of the 30th April, however, in remarking upon that subject, says:

"The idea of the administration resigning on such a point would be the height of folly and absurdity. There could scarcely be a greater calamity for this country than a change in the councillors of the crown at the present moment, when plans have been matured for the settlement of so many great questions, and when the country is so eager to reap some of the fruits of the reform. The arrangement of the affairs of the East India company, the bank charter question, the new code for abolishing or mitigating colonial slavery, the state of the church, besides many other things of great importance, press for an immediate decision. The least interruption to the march of the government at this interesting crisis would lose half of one of the most important sessions in our annals. Besides, no party but the faction of anarchy could gain any thing by the change. The return of the tories to office is impossible; the country rejects them, and they themselves are confessedly afraid to take it; and we suppose the country is not yet prepared to submit to the dominion of the Irish lord of misrule, or of the Brummagen Hampden. All that we could gain by any exhibition of unpatriotic pique or pride in tendering their places by the present cabinet, would be some confusion, and a great interruption to the business of the country. We hope, however, that ministers will take warning from the danger into which their own want of foresight has plunged them."

[If it is proper that an administration should retire, on the failure of support by a majority of the house of commons, in England—what would have happened in the last four years in the United States? We believe that only one favorite project has received the support of our house of representatives—and that (for the removals of the Indians), by a very spare vote.]

It seems that the ministers had decided *not* to resign, and that the king expressed his unabated confidence in them.

Private letters say, that unless the house of commons re-consider the vote on the malt duty, the property tax will certainly be carried.

The cotton duty reduction was fixed to go into operation on the first of June. The merchants at Liverpool had petitioned that it might be postponed to a further period, but the ministry refused to comply with their request.

There has been a good deal of fluctuation in the price of British and foreign stocks, at London.

A London paper, called the *Old England*, in speaking of the coercive measures adopted towards Ireland, says "*protestant* England is now becoming aware that the *fight of her faith* must be fought in Ireland."

In the house of commons on the 22nd April, Mr. Attwood's motion for an inquiry into the distress of the country, and especially as to how far that distress was connected with the operation of the monetary system, was three nights debated, and Mr. Attwood's motion, which was opposed by ministers, was rejected, 331 to 139. Lord Althorp then put his original motion, which was carried by 304 to 49. It was as follows:

"That any alteration of the monetary system of the country which would have the effect of lowering the standard of value, would be highly inexpedient."

The *vote by ballot* was the subject of a long debate. Lord Althorp, though an open advocate of the ballot out of the house, yet opposed Mr. Grote's motion that "in all future elections the vote be taken by ballot"—and it was consequently rejected, 211 to 105. For a reformed parliament, this is a strange decision.

FRANCE.

The duke of Orleans was to start for England on the 15th of May, and would pass some weeks in London. The duke de Valencey, son of the duchess de Dino, was to accompany his royal highness.

The acts of certain of the Poles, in France, in leaving the places assigned them, as mentioned before, will, probably, cause many difficulties in respect to these, and also others, who re-

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mained in depot. Under the present circumstances, the French government, it is said, means to apply the law which authorises it to refuse the admission of foreigners whose presence may disturb the public tranquillity.

The French government are preparing a large naval force at Toulon, to be in readiness to go to sea upon the arrival of the English squadron, which was expected soon to arrive there. Orders had been transmitted to the storekeepers to provide a quantity of materials for their service.

The Carlist journals assert that the duchess de Berri is extremely ill. Her devout partisans deny her pregnancy, and maintain that she is afflicted with some singular complaint, which can only be cured by miraculous power; and a lady of rank, in Paris, has accordingly transmitted a part of the gown of the Notre Dame de Liesse, for the duchess to kiss. A radical cure is expected shortly to be effected.

The French chamber of deputies have voted 50,000 francs, for the purchase of the MSS. and works of the late M. Champollion; and a pension of 3,000 francs to his widow.

TURKEY AND EGYPT.

German papers mention that the agents of Ibrahim Pacha are very active at Constantinople; that the sultan is in hourly danger of his life; and that fears are entertained about bringing the Russian troops into the capital, as the sight of them might make the people desperate and accelerate an explosion. The same authorities state that ten thousand Russian infantry have passed the Danube on their road to Constantinople. Accounts from Berlin speak of a report to the effect that a proposal has been made by one of the European cabinets for diplomatic conferences at Vienna, for the purpose of discussing in common the affairs of the east.

It seems clearly understood that the Turks have invited the *protection* of the Russians. And yet said, that the porte, more fearful of his friends than his enemies, had resolved to accept the terms offered by his rebellious pacha. We think that *both* may be true—in such a cabinet as that of Constantinople.

Another account says—the sultan has consented to treat with the viceroy of Egypt, upon the basis of the propositions transmitted by him to his son Ibrahim. The French envoy appears to be acting the part of a mediator between them. All active proceedings are therefore suspended for the present.

Another—the sultan has accepted the terms of peace proposed to him by the pacha of Egypt, through Ali pacha.

GERMANY.

The late events at Frankfort, &c. have caused much excitement, and may produce important effects, in Germany. The people seem kept "in order" only by the pressure of military force.

POLAND.

The Augsburgh Gazette of the 18th of April states, that an insurrection of the Poles had taken place at Cracow, who had cut to pieces some detachments of Russian troops. Considerable bodies of Poles are represented to be organized in the forests, and the Russian government is said to have had recourse to severe measures to suppress the spirit of revolt that has been manifested.

The emperor of Russia has issued a manifesto, relative to the state of things in Poland, and the czar has the effrontery, at the commencement of it, to assert that "every body knows the high degree of prosperity to which Poland had been raised by fifteen years' *assiduous* care and *paternal solicitude* on the part of the Russian government.

The autocrat has issued a more rigorous prohibition against Poles and Russians travelling to France. His "paternal solicitude" for their welfare is such that he chooses to retain them within the reach of the knout.

PORTUGAL.

Accounts from Madrid state that there is reason to believe that the affairs of Portugal will be arranged in a manner to conciliate the princes of the house of Braganza.

BARBARY POWERS.

A letter from Genoa, of the 18th inst. says—"some misunderstanding has arisen between the regency of Tunis and this government, who have fitted out four double-banked frigates, which have sailed. Another double-banked frigate and several gun boats are preparing, said to be destined for Tunis. A report has reached this from Tunis, of the 9th inst. that great preparations for war were making there, and that the Goletta was being put in the best state of defence. About 10,000 men were encamped."

BUENOS AYRES.

On the 26th, the house of representatives, after a long debate, passed the following decree, which we hail with pleasure as indicating the advance of liberal sentiments in our sister republic:

"The government is authorised in the case of Mr. Samuel F. Lafone and Donna Maria Quevedo, or in any case of a similar nature which may occur, to grant a dispensation of the impediments which were established by the civil laws, in order to the celebration of marriage between Catholic and Protestant individuals."

The parties above mentioned, are those between whom marriage was solemnized by our fellow countryman, rev. William Torrey, and for which both he and they were subjected to a long series of vexations, both from the civil and ecclesiastical powers of the country. The British Packet however states, that "notwithstanding the discretionary power which has been given to the government, there still exist ecclesiastical impediments to the intermarriage of Catholics and Protestants, which we believe has been, in no instance, dispensed with by the present prelate. *Jour. of Com.*

THE LATE JOHN RANDOLPH.

At a meeting of citizens of Philadelphia, assembled the 25th May, 1833, in the district court room of the United States, to unite in a tribute of respect to the remains of our distinguished countryman, the late JOHN RANDOLPH, of Virginia, who died on Friday last in this city, on motion it was resolved unanimously, that the hon. *Joseph Hopkinson*, take the chair, and that the hon. *John G. Watmough*, be appointed secretary.

The object of the meeting having been stated from the chair, the following resolution was moved by Mr. Sergeant, and seconded by the hon. Horace Binney.

*Resolved*, That ———————— be a committee to confer with the personal friends of the deceased, and if consistent with their views and feelings, to make arrangements for uniting with them in a public tribute of respect to the remains of our distinguished countryman, the late JOHN RANDOLPH, of Virginia, whose death in the midst of us, has peculiarly reminded us of the splendid contribution his talents and genius through a long public life have made to the reputation of our country.

The resolution being under consideration, it was moved by Joseph R. Ingersoll, esq. and *unanimously carried* to fill the blank with *ten*.

The following named gentlemen were accordingly announced, Horace Binney, Nicholas Biddle, Samuel Breck, Joseph Hemphill, Richard Willing, C. J. Ingersoll, James Brown, gen. Cadwallader, John Sergeant, George M. Dallas.

On motion of David Paul Brown, esq. it was unanimously resolved, that the chairman and secretary of this meeting be added to the committee.

On motion of the hon. John Sergeant, it was

*Resolved, unanimously*, That the committee make known their proceedings through the public papers, unless they should deem it expedient to call another meeting.

On motion, the meeting then adjourned.

JOSEPH HOPKINSON, *chairman.*

JOHN G. WATMOUGH, *secretary.*

The meeting having adjourned, the above named committee met accordingly:

After a few preliminary remarks from the chairman, Nicholas Biddle, esq. a motion was made and carried unanimously, authorising him to communicate with the friends of the deceased, and ascertain what future mode of proceeding would be most acceptable to them, and most suitable to the occasion.

The following correspondence is the result, which we are happy to be able to lay so promptly before the public.

*Philadelphia, May 25th, 1833.*

*John S. Barbour, Henry E. Watkins and William J. Barksdale, esqrs.*

GENTLEMEN—I have the honor to enclose to you as the friends of the late JOHN RANDOLPH, of Virginia, a copy of the proceedings of a meeting of the citizens of Philadelphia, held this day.

On behalf of the committee appointed at that meeting, I am instructed to consult you as to the most acceptable mode in which the citizens of Philadelphia may share with you, in performing the melancholy offices of respect due to an occasion which has deprived you of a personal friend, the state of Virginia of a distinguished son, and our common country of one of her most eminent citizens. I shall be happy to communicate your views to the committee, and in the meantime remain, with great respect, yours, N. BIDDLE, *chairman.*

*Philadelphia, May 25th, 1833.*

SIR—We have received your letter of this day, covering the proceedings of the citizens of Philadelphia, assembled on the occasion of the death among them of John Randolph of Roanoke.

This melancholy event deprived the state of Virginia of a distinguished citizen, who has illustrated his claims to her respect and regard, in a life of faithful and active service. The sovereignty, prosperity and renown of that commonwealth were objects of his affection, at all times close to his heart; and in their support he employed the best efforts of his powerful and splendid genius. The tokens of respect that you have shown for his life and memory, cannot but be grateful to those who hold in just estimation the virtues, the abilities, and public services of Mr. Randolph. In return, we beg you to receive from ourselves and other citizens of Virginia, now present, our cordial and grateful acknowledgments.

The wish which he avowed for the removal of his mortal remains, and their interment within his native land, will make their early departure necessary. And the delay that must follow the acceptance of any further tribute of respect to the memory of the deceased, than that already manifested by the inhabitants of this city, would be attended by great inconvenience. It is hoped that this cause will be acceptably received by you, for our declining, as we most respectfully do, your generous proposition, to unite with us in doing other honor to the memory of our distinguished countryman. With all respect, your obedient servants.

J. S. BARBOUR,
(Signed) HENRY E. WATKINS,
W. J. BARKSDALE.

*N. Biddle, esq. chairman of the committee in behalf of the people of Philadelphia.*

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Substance of the remarks of Messrs. *Sergeant* and *Binney*, at the Philadelphia meeting:

Mr. *Sergeant* said, he rose to offer a resolution upon the subject which had caused this meeting. The very distinguished citizen who had here terminated his mortal career, though he had died away from his home, had not died among strangers. He was well known in the city of Philadelphia. He was known throughout the United States. He was known, he might add, in every part of the world where the language was understood in which he spoke, and there were men capable of appreciating the extraordinary powers he had exhibited in a public life of between thirty and forty years. In one department of high intellectual exertion, he had justly acquired a pre-eminent reputation, and by it had added to the reputation of our country. He had contributed to place her, at least, on a level with other nations, and to enable her to put in a well-founded claim to the palm of eloquence. It was due, he said, to this community, it was due to the personal friends of the deceased, it was due to the state of Virginia, whose eminent and honored son he was, that the occasion should not pass without some public expression of the sensibility which the death of our distinguished countryman so naturally excited.

In the course of a long public life, full of keen and ardent contest, Mr. Randolph, it was not to be denied, had often offended those who came in contact with him. This kind of irritability, perhaps, belongs to the constitution of a highly gifted nature. Genius is apt to be irritable. The flame that is to be seen afar off, must burn intensely. It overheats the frail vessel that contains its elemental fire, and often scorches those who are in its immediate neighborhood. Death strips off the covering, and with it should fall into the grave the memory of its infirmities. What remains, is light, purified by separation. Shining, but not consuming, but spreading its rays in all directions, it enters into the mass of intellectual light, which adorns and enriches our country.

He said he would make but one more remark. That Mr. Randolph should have come here to die, was, to us, merely accidental. And yet there was something in it, which one who loved the union, could not but heartily welcome. Virginia's eminent son loved and honored his native state as much as any man could do. It was his pride to be in all things a Virginian; and Virginia requited his affection with continued confidence. At her feet he had laid the trophies he had won, and she rejoiced, and sent him forth again to earn new honors. That he breathed his last breath here, in Pennsylvania, would seem to signify that Virginia's eminent son was also a son of the union; that the title of citizen of the United States was still the paramount title, and that the whole union was his country. He said he would detain the meeting no longer.

When seconding the resolution, Mr. *Binney* said, that while he could add nothing to the force and beauty of the remarks with which the motion had been introduced, it gave him unfeigned satisfaction to second it. It must be confessed that Mr. Randolph was an extraordinary man; extraordinary in many points, and particularly in his command of the public ear for so long a period, by his signal accomplishments as a debater. He has probably spoken to more listeners than any other man of his day, having been unrivalled in the power of rivetting the attention by the force and pungency of his language, the facility and beauty of his enunciation, and the point and emphasis of his most striking manner. No man who has heard Mr. Randolph, can ever forget him: and no man who ever heard him once, was ever unwilling to hear him again, except when, under the sway of an excitement to which allusion has been made, that was sometimes said which his most partial admirers wished unsaid. The recollection of these occasions has however passed away, and there remains only the remembrance of those powers which have added another name to the list of our eminent countrymen. Mr. Randolph has been in public life from nearly the dawn of parties in this government to the present time; sometimes a leader, thoroughly prepared and efficient, and always even after sickness had impaired his physical powers, a man whom every one was more willing to have on his side than against him. His reputation now belongs to his country. His career is closed, after enjoying for nearly forty years the confidence and affection of his immediate neighborhood and connexions, and the respect of his native state—unexpectedly closed in this city, where it may be said to have begun. As a distinguished son of Virginia, distinguished by her confidence, and by his own talents and station in the public councils of the nation, dying at a distance from his friends and home, it is the duty of hospitality, as well as of sympathy and patriotism, to honor his remains. I therefore cordially second the motion of Mr. *Sergeant*.

NOTICES OF HIS DEATH

*By the editors of the "National Intelligencer."*

The Philadelphia papers announce the decease of the hon. John Randolph, of Virginia, who expired at the city hotel, in that city, on Friday last, at noon. Mr. R. passed through this city on Sunday week, in an extremely feeble condition; and the hopeless state of his health for some time past was generally known to his friends, that the news of his death will cause little surprise to them, however deeply it may be regretted.

Mr. Randolph, it is well known, was a member elect of the 23d congress, of which body he had been, with occasional intermissions, a member for thirty-five years. From his first entrance into public life, in 1798, he has been one of the most prominent politicians of our country. In some respects, he was one of the most remarkable men of the age, and in a few particulars, perhaps, the most remarkable. If, in the course of his long career, the peculiarity of his temper, and his propensity for sarcasm, made him enemies, no man, on the other hand, has warmer personal friends; and the time has been when few would have disputed the justice of the high compliment which was paid him, when he was pronounced to be "eloquent as Chatham as Cato incorruptible."

*By Mr. Pleasants, editor of the "Richmond Whig."*

At the present crisis of public affairs, this event cannot but be deplored by every friend of state rights, as a national calamity. We eagerly looked forward to the time when Mr. Randolph should resume his station in the councils of the nation, as the era from which the doctrines of Jefferson were destined to date their regeneration. We could not bring ourselves to believe that he would not survive his voyage.

Mr. Randolph and ourselves were long at enmity; but we never for a moment withheld from him that admiration which his miraculous powers demanded from all. The former sentiment has long since died; the latter flourishes in renewed vigor, and will cease but with the extinction of life. If ever this country owned a son, possessing in a very high degree, those properties usually attributed to genius, apart from what authors denominate more particularly talent, John Randolph was that man. The rapidity and extent of his perception, is almost without a parallel in the history of the world. The eagle brilliancy of his eyes, celebrated wherever he was known, and which almost possessed the power of petrifying those who encountered his gaze, was but a type of the almost superhuman strength, and clearness of his intellect. He arrived not at conclusions like ordinary mortals, by the slow process of reasoning. With him to state the premises, and to see the inference at once, was instinct. Nor were his conclusions less correct, than if derived from a long chain of reasoning, like the instinct of Zerah Colburn, distancing and astounding the profoundest philosophers, without himself knowing how to explain the operation of his wonderful talents. The singularities of Mr. Randolph, were such as universally attend great genius, when coupled with an infirm constitution. The truth of this is exemplified in the cases of Pope, Rousseau, Alfieri, lord Byron, and others, whose eccentricities though probably not so extravagant, very much resembled his. Peace be to his ashes. He will be considered by future ages, when the rage of party is forgotten, the pride of his country, and the miracle of his age.

*By Mr. Ritchie, editor of the "Richmond Enquirer."*

*John Randolph*, esq. of *Roanoke*. Some abler pen than our own, will be found to do justice to the merits of Mr. Randolph. We may say truly, that a great man has this day fallen in Israel. As an orator, he was, with one exception, superior to any other man whom Virginia, and we may add, the United States, has ever produced—Patrick Henry alone bears away the palm from all competitors. For his powers of conversation, Mr. Randolph stood unrivalled. His genius was of the most brilliant order—and the most polished taste had lent all her graces to its improvement. As a politician, his reputation was great. The friends of the rights of the states, can never forget the distinguished services he has rendered on numerous occasions to their elevated cause. Peace be to his ashes! The man that traces these hasty lines buries all unworthy feelings in his grave.

Arrival of the remains of Mr. Randolph, at Richmond—from the Whig of May 29:

The remains of Mr. Randolph arrived last night in steamboat Patrick Henry, and were carried to Mrs. Duval's boarding house, where the funeral service of the Episcopal church was read over them this morning, at ten o'clock, by the rev. Mr. Lee. According to the request of the deceased, uttered a few weeks since, this was all the ceremony, he having intimated a wish that no funeral sermon should be preached over him. The procession started a few minutes after eleven, and was followed by an immense concourse of people as far as the toll gate of Mayor's bridge. Thirteen minute guns were fired as the procession set off, by a detachment of artillery, under the command of lieut. Hollins, as a token of respect entertained by that company for the memory of the deceased. Lieut. Randolph who arrived last night, joined in the procession. John and Johnny whose names have become classical, and will go down to posterity in indissoluble union with that of their master, formed a conspicuous part of the procession. Our sympathies were deeply affected by the silent and unostentatious grief of the former, down whose cheeks the tears trickled, as he assisted to place the remains of his master in the hearse. Strange as the deceased was known to be in his humors, capricious as was his temper, and small as his sympathy with mankind might appear to be, he had yet so contrived to entwine the affections of the poor African around him that he has probably never thought of existing without him.

Mr. Randolph's mind is said to have blazed out powerfully and brilliantly, as the lamp was dwindling into the socket. His mind dwelt incessantly upon Virginia, his dear old Virginia, the land of his birth, the home of his affections, and the theatre of his glory. His desire to be buried in his native land is characteristic.

*"Moritur et moriens dulces reminiscitur Argos."*

☞It is rumored that Mr. Randolph has by his will left all his slaves free.

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## POST OFFICE DEPARTMENT.

*April 25th*, 1833.

Regulations for the government of the mail arrangement on the great Atlantic line from Washington, D. C. to Portland, Maine, commencing on the 1st May, 1833.

1. Double mail lines are to be run from Washington to Hartford, Ct. one of which will be known as the *fast line*—the other as the *ordinary line*. East of Hartford the mail is to be conveyed as now in one line; but conformably to the following schedule:

2. The fast line is to convey no other matter than letters and newspapers, and to deliver mails at the following offices only: Washington, Baltimore, (Wilmington, on the winter arrangement), Philadelphia, New York and Hartford.

3. The ordinary line is to convey all mails and mail matter not admitted into the fast line, and to deliver mails at all offices on the route.

4. The mails for the fast line are to be made up at each of the above named offices for every other of the above named offices, both delivery and distribution, under a distinct address to it—and marked "fast mail"—and be placed in a red canvass bag addressed by label to such office—no other portmanteaus than those under the large lock, and no other canvass bags than the red cases are to be conveyed by the fast line.

5. No distribution of the fast mails by an intervening distribution office is to be made—but all such intervening distribution offices will have their fast mails made up as aforesaid half an hour before the time set for the arrival of the mail, so as to subject it to no greater detention than will be required for opening the bags and taking out the mail for said office, and returning its own mails to the bags and closing the same.

6. Care should be taken to put in red bags to go out of the portmanteaus only such *published* matter as is entitled to go in the fast line, and to put such matter invariably in red bags. This regulation applies to mails to be conveyed on the great western line from Baltimore. Red bags *in* portmanteaus are to be labelled on wrapping paper folded, and tied and sealed at the mouth of the bag—*out* of portmanteaus on wood.

7. When a canvass bag, addressed to an intermediate point, as to New York for instance, is received at that office and emptied of its contents, let it pass through to the end of the fast line, Hartford for instance, as an empty bag open, with the label pinned on, to receive the returning mail—and so *vice versa*.

8. The offices of Portland, Portsmouth, Boston and Providence will, in making up their delivery or distribution mails admissible in the fast line for the large offices on the route of that line, mark them "fast mail" for the better convenience of the postmaster of Hartford in arranging the mails, to the appropriate bags.

9. Mails for Wilmington from the east will be, during the summer arrangement, sent to Philadelphia, from which office they will be despatched direct to Wilmington. At Washington and Baltimore, they will be made up in a separate portmanteau, under a large lock, to be left at New Castle.

10. The schedule for the winter arrangements is to be observed at Washington, Baltimore, and Philadelphia, whenever steamboats cease running on the Chesapeake and Delaware—at New York and the offices east of it, whenever steamboats cease running between New Haven and New York.

11. Ordinary mails from Washington to Baltimore, and *vice versa*, are to be despatched every morning and to run through in not exceeding seven hours.

12. Ordinary mails from Baltimore to Philadelphia, and *vice versa*, are to be despatched by every steamboat of the "Pennsylvania, Delaware and Maryland steamboat company," and by the Havre de Grace and Port Deposite stage lines.

13. Ordinary mails from Philadelphia to New York, and *vice versa*, will be sent as now by the steamboat line, and by a stage line to depart early in the morning from Philadelphia, so as to lap, in time, upon the steamboat line at Trenton, by which stage lines the mails for Trenton and intermediate offices are to be sent—and by a stage line to depart at the latest hour for crossing the Hudson river from New York, to go to Newark that night and lap the next morning on the steamboat line at New Brunswick by which stage line, the mails for New Brunswick and the intermediate offices are to be sent—on the winter arrangement a second stage line for the ordinary mail will be sent regularly through from office to office.

14. Ordinary mails from New York to Hartford will be despatched daily by the steamboat and by the stages, Sunday excepted. On the Sabbath the fast mails will be sent by the stages, as the New Haven steamboats do not run on that day—returning, the ordinary mail will be sent by stages to New Haven and thence by steamboat to New York—and the fast mails will be conveyed the entire distance by stages. The stages conveying the fast mails may receive at the offices between New Haven and New York pocket mails to be delivered at New York.

15. The distribution at Stamford is discontinued. It will hereafter be performed in the post offices at New York and Hartford.

16. To prevent delays, the contractor will receive his load of passengers and baggage before receiving the mail; —and the postmaster is required on discovering too great a load of the former to allow the requisite speed, to report the fact to the department.

17. Punctual arrival at or before the time fixed in the schedule, will be indispensable, as the outgoing mail is in no case to be detained beyond the time set for its departure, except in the single instance noted in the schedule.

18. The subjoined schedules will be faithfully complied with, and performed by each contractor on the line, from and after the 1st May, 1833.

19. Postmasters will report each failure immediately, with the cause if known—and will also report monthly registers of arrivals and departures.

20. Postmasters will advise the department of any disadjustment or want of the proper connexion with the pending routes that may be occasioned by the change of time made by the following schedules, together with their best suggestions of improvement.

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SCHEDULE NO. I.

*From Washington to Portland.*

SUMMER ARRANGEMENT.

Leave Washington at 12 night.
  Arrive at Baltimore by 5 a. m.
Leave Baltimore at 6 a. m.
  Arrive at Philadelphia by 5 p. m.
Leave Philadelphia at 6 p. m. (earlier if mail is in) run in 12 hours.
  Arrive at New York by 6 a. m.
Leave N. York [1] at 7 a. m. on week days, in steamboat.
  " [2] at 6½ a. m. or earlier, on Sundays, in post coaches.
  Arrive at Hartford [1] by 7 p. m.
  " [2] by 10½ p. m. Sunday.
Leave Hartford [1] at 8 p. m.
  " [2] by 11½ p. m. Sunday.
  Arrive at Boston [1] by 12 m.
  " [2] by 3½ p. m. Monday.
Leave Boston [1] at 1 p. m.
  " [2] at 4½ p. m.
  Arrive at Portsmouth [1] by 11 p. m.
  " [2] by 2½ a. m. Tuesday.
Leave Portsmouth [1] at 12 night.
  " [2] at 3½ a. m. Tuesday.
  Arrive at Portland [1] by 9 a. m.
  " [2] by 12½ noon, Tuesday.

SCHEDULE NO. II.

*From Portland to Washington.*

SUMMER ARRANGEMENT.

Leave Portland at 10 a. m.
  Arrive at Portsmouth by 7 p. m.
Leave Portsmouth at 8 p. m.
  Arrive at Boston by 6 a. m.
Leave Boston at 7 a. m.
  Arrive at Hartford by 11 p. m.
Leave Hartford at 12 night.
  Arrive at New York by 4 p. m.
Leave New York at 5 p. m.
  Arrive at Philadelphia by 6 a. m.

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Leave Philadelphia at 6. a. m.
Arrive at Baltimore by 4. p. m.
Leave Baltimore at 5. p. m. but to wait for the mail a reasonable time in the discretion of the postmaster.
Arrive at Washington by 11 p. m.

—

SCHEDULE NO. III.
*From Washington to Portland.*
WINTER ARRANGEMENT.

Leave Washington at 9½ p. m.
Arrive at Baltimore by 2½ a. m.
Leave Baltimore at 3 a. m.
Arrive at Philadelphia by 5½ p. m.
Leave Philadelphia at 6 p. m.
Arrive at New York by 6 a. m.
Leave New York at 6½ a. m.
Arrive at Hartford by 10½ p. m.
Leave Hartford at 11½ p. m.
Arrive at Boston by 3½ p. m.
Leave Boston at 4½ p. m.
Arrive at Portsmouth by 2½ a. m.
Leave Portsmouth at 3½ a. m.
Arrive at Portland by 12½ noon.

—

SCHEDULE NO IV.
*From Portland to Washington.*
WINTER ARRANGEMENT.

Leave Portland at 9½ a. m.
Arrive at Portsmouth by 6½ p. m.
Leave Portsmouth at 7½ p. m.
Arrive at Boston by 5½ a. m.
Leave Boston at 6½ a. m.
Arrive at Hartford by 10½ p. m.
Leave Hartford at 11½ p. m.
Arrive at New York by 3½ p. m.
Leave New York at 4½ p. m.
Arrive at Philadelphia by 5½ a. m.
Leave Philadelphia at 6 a. m.
Arrive at Baltimore by 10 p. m.
Leave Baltimore at 11 p. m.; but wait for the mail a reasonable time, in the discretion of the postmaster.
Arrive at Washington by 5. a. m.

WM. T. BARRY, *postmaster general.*

—

We meet with the following, presented to shew the operation of the summer arrangement of the mails:

| | | | | |
|---|---|---|---|---|
| Baltimore | 6 | hours from | Washington | 38 miles. |
| Philadelphia | 12 | | Baltimore | 98 |
| New York | 12 | | Philadel. | 89 |
| New Haven | 7 | | New York | 76 |
| Hartford | 6 | | New Haven | 38 |
| Boston | 20 | | Hartford | 97 |
| Portsmouth | 8 | | Boston | 56 |
| Portland | 9 | | Portsmouth | 54 |
| Total | 79 | from Washington to Portland | | 542 miles. |

## COMMERCE AND NAVIGATION OF THE UNITED STATES—1832.

*Extracts from the report of the secretary of the treasury concerning the commerce and navigation of the United States for the year ending September 30, 1832—with statements of the tonnage, &c.*

SUMMARY STATEMENT OF IMPORTS.

| WHENCE IMPORTED. | VALUE OF MERCHANDISE IMPORTED FROM EACH COUNTRY. | | | | | | |
|---|---|---|---|---|---|---|---|
| | *Free of duty.* | *Paying duties ad valorem.* | *Paying specific duties.* | TOTAL. | *In American vessels.* | *In foreign vessels.* | *From the dominions of each power.* |
| Russia | $146,769 | $724,721 | $2,380,362 | $3,251,852 | $3,093,756 | $158,096 | $3,251,852 |
| Prussia | 65 | 7,629 | 20,233 | 27,927 | 27,927 | | 27,927 |
| Sweden and Norway | 65 | 3,165 | 1,094,164 | 1,097,394 | 804,856 | 292,538 | 1,150,804 |
| Swedish West Indies | 30,742 | 4,974 | 17,694 | 53,410 | 45,869 | 7,541 | |
| Denmark | 65 | 826 | 62,451 | 63,342 | 54,804 | 8,538 | 1,182,708 |
| Danish West Indies | 230,728 | 28,551 | 860,087 | 1,119,366 | 1,030,375 | 88,991 | |
| Netherlands | 45,782 | 702,418 | 612,468 | 1,360,668 | 1,225,648 | 135,020 | |
| Dutch East Indies | 58,518 | 12,544 | 597,912 | 668,974 | 668,974 | | 2,358,474 |
| Dutch West Indies | 124,095 | 3,942 | 200,795 | 328,832 | 326,401 | 2,431 | |
| England | 1,144,460 | 28,924,914 | 4,779,188 | 34,848,562 | 31,706,333 | 3,142,229 | |
| Scotland | 7,084 | 1,277,270 | 296,458 | 1,580,812 | 262,732 | 1,318,080 | |
| Ireland | 316 | 457,873 | 33,702 | 491,891 | 374,870 | 117,021 | |
| Guernsey, Jersey, &c. | | 370 | 164 | 534 | | 534 | |
| Gibraltar | 15,104 | 54,801 | 209,953 | 279,858 | 279,858 | | 42,406,924 |
| British East Indies | 243,867 | 1,457,375 | 837,696 | 2,538,938 | 2,538,938 | | |
| British West Indies | 586,370 | 130,440 | 705,427 | 1,422,237 | 1,102,458 | 319,779 | |
| British American colonies | 839,031 | 109,962 | 280,533 | 1,229,526 | 821,378 | 408,148 | |
| Other British colonies | 1,000 | 93 | 1,458 | 2,551 | 2,551 | | |
| Cape of Good Hope | 204 | 620 | 11,191 | 12,015 | 12,015 | | |
| Hanse Towns and Germany | 139,005 | 2,465,879 | 260,212 | 2,865,096 | 1,590,624 | 1,274,472 | 2,865,096 |
| France on the Atlantic | 126,848 | 9,563,629 | 1,241,506 | 10,931,983 | 10,450,490 | 481,493 | |
| France on the Mediterranean | 38,258 | 534,792 | 670,725 | 1,243,775 | 1,119,874 | 123,901 | 12,754,615 |
| French West Indies | 160,564 | 9,659 | 408,634 | 578,857 | 541,593 | 37,264 | |
| Hayti | 412,485 | 53,505 | 1,587,396 | 2,053,386 | 1,971,291 | 82,095 | 2,053,386 |
| Spain on the Atlantic | 19,352 | 285,358 | 372,773 | 677,483 | 652,222 | 25,261 | |
| Spain on the Mediterranean | 1,056 | 35,655 | 703,990 | 740,701 | 644,775 | 95,926 | |
| Teneriffe and other Canaries | 62,629 | 218 | 91,990 | 154,837 | 154,837 | | 10,863,290 |
| Manilla and Philippine Islands | 63,041 | 174,375 | 94,814 | 332,230 | 332,230 | | |
| Cuba | 167,427 | 579,867 | 6,321,563 | 7,068,857 | 5,617,794 | 1,451,063 | |
| Other Spanish West Indies | 78,987 | 70,515 | 1,739,680 | 1,889,182 | 1,775,031 | 114,151 | |
| Portugal | 3,721 | 3,300 | 116,795 | 123,816 | 75,857 | 47,959 | |
| Madeira | 5,221 | 883 | 222,214 | 228,318 | 228,318 | | |
| Fayal and other Azores | 7,384 | 790 | 13,508 | 21,682 | 21,682 | | 485,264 |
| Cape de Verd Islands | 74,475 | 2,464 | 10,767 | 87,706 | 86,147 | 1,559 | |
| Other Portuguese African ports | 8,847 | 11,749 | 3,146 | 23,742 | 23,742 | | |
| Sicily | 36,545 | 92,185 | 27,887 | 156,617 | 141,667 | 14,950 | 156,617 |
| Italy | 286,380 | 1,135,040 | 198,375 | 1,619,795 | 1,608,434 | 11,361 | 1,619,795 |
| Trieste | 149,258 | 164,330 | 48,439 | 362,027 | 269,435 | 92,592 | 362,027 |
| Turkey, Levant and Egypt | 62,324 | 342,306 | 518,999 | 923,629 | 891,923 | 31,706 | 923,629 |
| Mexico | 3,951,518 | 232,598 | 109,838 | 4,293,954 | 3,570,822 | 723,132 | 4,293,954 |
| Central Republic of America | 160,604 | 90,252 | 37,460 | 288,316 | 285,746 | 2,570 | 288,316 |
| Honduras, Campeachy, &c. | 29,763 | 4,145 | 254 | 34,162 | 30,465 | 3,697 | 34,162 |

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| WHENCE IMPORTED. | VALUE OF MERCHANDISE IMPORTED FROM EACH COUNTRY. | | | | | | |
|---|---|---|---|---|---|---|---|
| | *Free of duty.* | *Paying duties ad valorem.* | *Paying specific duties.* | TOTAL. | *In American vessels.* | *In foreign vessels.* | *From the dominions of each power.* |
| Colombia - - - | 583,809 | 30,320 | 825,053 | 1,439,182 | 1,379,563 | 59,619 | 1,439,182 |
| Brazil - - - - | 1,238,689 | 309,061 | 2,343,095 | 3,890,845 | 3,853,876 | 36,969 | 3,890,845 |
| Argentine republic - - | 1,415,031 | 125,955 | 19,185 | 1,560,171 | 1,539,820 | 20,351 | 1,560,171 |
| Chili - - - - | 500,966 | 2,137 | 1,520 | 504,623 | 504,623 | | 504,623 |
| Peru - - - - | 686,677 | 22,924 | 10,497 | 720,098 | 720,098 | | 720,098 |
| Asia, generally - - | 3,713 | 4,451 | 103,016 | 111,180 | 111,180 | | 111,180 |
| Africa, generally - - | 186,303 | 122,520 | 12,709 | 321,532 | 321,532 | | 321,532 |
| West Indies, generally - | | | 12,740 | 12,740 | 12,740 | | 12,740 |
| China - - - - | 95,941 | 2,392,733 | 2,856,233 | 5,344,907 | 5,344,907 | | 5,344,907 |
| South Seas - - - | 15,000 | | 175 | 15,175 | 15,175 | | 15,175 |
| Sandwich Islands - - | | 920 | | 920 | 920 | | 920 |
| Arabia - - - - | 2,553 | 10,378 | 11,094 | 24,025 | 24,025 | | 24,025 |
| Uncertain ports - - | 814 | | 4,214 | 5,028 | 5,028 | | 5,028 |
| Total | 14,249,453 | 52,777,381 | 34,002,432 | 101,029,266 | 90,298,229 | 10,731,037 | 101,029,266 |

*Treasury department, Register's office, February 12, 1833.*

T. L. SMITH, *register.*

No. 2.

***Summary statement of the quantity and value of goods, wares and merchandise, imported into the United States, in American and foreign vessels, commencing on the 1st day of October,* 1831, *and ending on the 30th September,* 1832.**

[☞In *cases of comparison*, between the years 1832 and 1831, the careful examiner will please to observe—that, while the lists for the year 1832, contain *all* the articles in the tables for THAT year—the value of a few items, under the same denomination, is not found in the columns for 1831. And, in the tables for 1831, there were some items, under certain denominations, which are not to be found in the tables for 1832. We make this explanation for the sake of those persons who may desire to make very close and accurate comparisons—but the whole amount of the things omitted is of small, if any, importance—affecting only a few articles of inconsiderable value, on either side. The aggregates are given, [for 1831], as though every item had been inserted, for the sake of a general, or summary, comparison.]

| *Species of merchandise.* | *In American vessels.** | *Total.* 1832. | *Total.* 1831. |
|---|---|---|---|
| VALUE OF MERCHANDISE FREE OF DUTY. | | | |
| Articles imported for the use of the United States. | $814 | $814 | $292 |
| *Articles specially imported for incorporated philosophical societies.* | | | |
| Philosophical apparatus, instruments, &c. | 6,984 | 7,160 | 10,917 |
| Books, maps and charts | 10,578 | 10,969 | 15,733 |
| Statuary, busts, casts and specimens of sculpture | 3,325 | 3,325 | 721 |
| Paintings, drawings, etchings and engravings | | | 2,478 |
| Cabinets of coins and gems | 50 | 50 | |
| Medals and collections of antiquity | | | 5 |
| Specimens of botany | 8,391 | 8,862 | 6,458 |
| Models of invention and machinery | 80 | 80 | 11 |
| Anatomical preparations | 40 | 128 | 1,839 |
| Antimony, regulus of | 14,760 | 15,692 | 20,487 |
| Lapis calaminaris, teutenegue, spelter, or zinc | 15,029 | 18,767 | 29,723 |
| Burr stones, unwrought | 29,436 | 31,036 | 40,744 |
| Brimstone and sulphur | 54,570 | 61,177 | 38,634 |
| Cork tree, bark of | 3,047 | 3,211 | 1,264 |
| Clay, unwrought | 8,669 | 14,211 | 10,711 |
| Rags of any kind of cloth | 409,774 | 466,387 | 276,617 |
| Furs of all kinds | 299,733 | 335,577 | 417,038 |
| Hides and skins raw | 4,488,630 | 4,680,128 | 3,057,543 |
| Plaster of Paris | 12,410 | 104,745 | 119,444 |
| Barilla | 78,328 | 78,990 | 43,560 |
| Wood, dye | 392,409 | 418,386 | 308,957 |
| unmanuf. mahogany, &c. | 278,732 | 317,836 | 332,111 |
| Animals for breed | 23,935 | 24,451 | 18,563 |
| Pewter, old | 2,765 | 3,139 | 1,543 |
| Tin in pigs and bars | 125,122 | 125,531 | 134,380 |
| Brass in pigs and bars | 6 | 6 | |
| old | 4,042 | 4,447 | 2,429 |
| Copper in pigs and bars | 748,817 | 752,937 | 530,682 |
| in plates, suited to the sheathing of ships | 546,085 | 624,340 | 560,609 |
| for the use of the mint | 20,490 | 20,490 | 14,735 |
| Copper] old, fit only for re-manufacture | 147,611 | 177,427 | 119,281 |
| Bullion, gold | 102,021 | 102,021 | 166,119 |
| silver | 735,124 | 736,711 | 686,283 |
| Specie, gold | 590,793 | 614,665 | 765,838 |
| silver | 3,701,737 | 4,454,107 | 5,687,633 |
| All other articles | 30,973 | 31,650 | 35,171 |
| Total | 12,895,310 | 14,249,453 | 13,456,025 |
| VALUE OF MERCHANDISE SUBJECT TO DUTIES AD VALOREM. | | | |
| *Manufacture of* | | | |
| Wool, or of which wool is a component material— | | *Total.* 1832. | *Total.* 1831. |
| Not exceeding 50 cents per square yard | $904,444 | $941,631 | $1,317,645 |
| Exceeding 50 and not exceeding 100 cts. per do. | 2,249,269 | 2,262,193 | 2,405,770 |
| Do. 100 do. 250 do. | 1,788,153 | 1,804,701 | 2,303,511 |
| Do. 250 do. 400 do. | 76,042 | 78,006 | 85,998 |
| Do. 400 cts. per squ. yd. | 11,633 | 12,310 | 8,518 |
| Blankets | 534,887 | 602,796 | 1,180,478 |
| Hosiery, gloves, mits and bindings | 240,052 | 260,563 | 325,856 |
| Hats and caps | 47,378 | 59,836 | |
| Bombasins | 323 046 | 327,623 | 461,898 |
| Worsted stuff goods | 2,511,405 | 2,615,124 | 3,392,037 |
| All other manufactures of | 325,311 | 351,132 | 490,651 |
| Cotton—Printed or colored | 5,635,977 | 6,355,475 | 10,046,500 |
| White | 2,083,922 | 2,258,672 | 4,285,175 |
| Hosiery, gloves, mits and bindings | 824,739 | 1,035,513 | 887,957 |
| Twist, yarn and thread | 254,376 | 316,122 | 393,414 |
| Nankeens | 111,635 | 120,629 | 114,076 |
| All other manufactures of | 283,174 | 313,241 | 363,102 |
| Silks from India, piece goods | 2,564,262 | 2,564,262 | 1,803,239 |
| Sewing silk, hosiery and other manufactures | 132,070 | 132,070 | 53,766 |
| Other places, piece goods | 3,977,936 | 4,000,011 | 6,155,739 |
| Sewing silk, hosiery and other manufactures | 2,343,123 | 2,398,225 | 2,891,649 |
| Lace—Thread, silk or cotton | 794,377 | 846,413 | 1,345,391 |
| coach | 3,603 | 3,603 | 5,068 |
| Flax, linens bleached and unbleached | 2,885,197 | 3,391,503 | 3,145,797 |
| checks and stripes | 18,661 | 37,056 | 18,159 |
| other manufactures of | 393,386 | 644,605 | 626,155 |
| Hemp, ticklenburgs, osnaburgs and burlaps | 38,721 | 366.320 | 514,645 |
| sheeting brown | 285,212 | 305,896 | 275,059 |
| white | 20,381 | 40,131 | 76,440 |
| other manufactures of | 18,961 | 84,114 | 122,009 |
| Clothing, ready made | 112,478 | 120,443 | 108,242 |
| Hats, caps, &c. of Leghorn, chip, straw, grass, &c. | 187,982 | 193,501 | 255,893 |
| Iron and iron and steel— | | | |
| side arms and fire arms, other than muskets and rifles | 289,236 | 305,205 | 214,194 |
| drawing knives, axes, adzes and socket chisels | 53,981 | 63,774 | 30,183 |
| bridle bits of every description | 99,828 | 99,977 | 80,637 |
| steelyards, scale beams and vices | 63,715 | 67,613 | 67,609 |
| cutting knives, sickles, scythes, reaping hoops, spades and shovels | 114,178 | 133,677 | 118,743 |
| screws weighing 25 lbs. or upwards | | | |

*The difference of the amounts in this column and those in the total, shews the quantity imported in foreign vessels—which we have omitted, to add the column for 1831. Ed. Reg.

| | | | |
|---|---|---|---|
| Iron] wood screws | 130,612 | 133,968 | 112,545 |
| other articles not specified | 3,574,062 | 3,894,298 | 3,735,010 |
| Copper, vessels | 4,328 | 6,103 | 8,170 |
| all other manufactures | 34,304 | 36,404 | 42,117 |
| Gold and silver lace | 9,222 | 9,327 | 4,043 |
| watches and parts of | 760,243 | 767,572 | 445,977 |
| articles composed wholly or chiefly of pearls, &c. | 78,745 | 82,895 | 85,582 |
| Wares, glass, not subject to specific duties | 235,254 | 367,031 | 235,909 |
| China or porcelain | 158,017 | 166,478 | 108,169 |
| earthen and stone | 1,374,286 | 1,857,542 | 1,516,435 |
| japanned | 55,628 | 57,556 | 71,658 |
| plated | 295,225 | 301,189 | 189,419 |
| gilt | 129,898 | 130,493 | 105,429 |
| Brass | 734,333 | 789,548 | 630,687 |
| Tin | 17,705 | 19,328 | 20,472 |
| Pewter and lead, except shot | 25,164 | 26,748 | 34,843 |
| Wood, including cabinet ware | 131,666 | 174,263 | 147,750 |
| Leather, including saddles, bridles and harness | 638,701 | 649,418 | 811,251 |
| Plated saddlery, coach and harness furniture | 109,651 | 109,651 | 94,512 |
| Marble and manufactures of | 27,056 | 29,191 | 7,747 |
| Square wire, used for umbrella stretchers | 34,929 | 43,093 | 29,050 |
| Cyphering slates | 6,867 | 9,375 | 14,024 |
| Prepared quills | 23,342 | 30,101 | 19,087 |
| Black lead pencils | 3,622 | 4,721 | 5,129 |
| Paper hangings | 92,425 | 93,873 | 88,467 |
| Brushes of all kinds | 22,543 | 24,140 | 16,741 |
| Hair seating | 30,217 | 32,818 | 36,748 |
| Bolting cloths | 42,440 | 52,257 | 52,203 |
| Copper bottoms, cut round, raised to the edge, &c. | 7,627 | 8,826 | 20,609 |
| Quicksilver | 223,540 | 263,347 | 411,079 |
| Brass, in plates | 13,098 | 13,144 | 17,153 |
| Tin, in plates | 411,540 | 525,417 | 588,417 |
| Crude salt petre | 427,028 | 427,028 | 282,115 |
| Lead ore | | | |
| Opium | 243,884 | 243,884 | 176,736 |
| Raw silk | 48,938 | 48,938 | 88,557 |
| Articles not specially enumerated— | | | |
| at 12½ per cent. | 867,807 | 943,052 | 1,252,320 |
| at 15 do. | 3,498,221 | 3,975,604 | 3,071,301 |
| at 20 do. | 134,285 | 141,029 | 129,710 |
| at 25 do. | 85,735 | 109,972 | 114,895 |
| at 30 do. | 586,193 | 646,219 | 633,728 |
| at 33⅓ do. | 3,827 | 3,827 | 508 |
| at 35 do. | 5,561 | 6,477 | 7,525 |
| at 40 do. | 619 | 619 | 145 |
| at 45 do. | 265 | 267 | 72 |
| at 50 do. | 2,713 | 4,295 | 5,491 |
| Total | 47,944,096 | 52,777,381 | 61,534,966 |

| *Species of merchandise.* PAYING SPECIFIC RATES OF DUTY. | | *In American vessels.* Quantity. | Value. | *Total*—1832. Quantity. | Value. | *Total*—1831. Quantity. | Value. |
|---|---|---|---|---|---|---|---|
| Manufactures of wool, not exceeding 33⅓ cents per sq. yd. | sq. yds. | 1,762,849 | $476,242 | 1,868,544 | $503,193 | 2,598,603 | $695,666 |
| Carpeting—Brussels, Turkey and Wilton | do | 138,202 | 202,476 | 144,066 | 210,335 | 127,746 | 170,718 |
| Venetian and ingrain | do | 455,462 | 305,921 | 512,793 | 346,589 | 385,839 | 249,980 |
| All other of wool, flax, hemp, or cotton | do | 743 | 801 | 814 | 851 | 471 | 401 |
| Patent painted or stained floor cloth | do | 9,120 | 9,161 | 25,488 | 25,394 | 20,721 | 18,962 |
| Oil cloth other than patent floor cloth | do | 856 | 200 | 2,957 | 1,162 | 7,076 | 2,800 |
| Furniture oil cloth | do | 29,223 | 7,985 | 51,859 | 13,411 | 15,058 | 3,015 |
| Floor matting of flags or other materials | do | 109,795 | 12,137 | 109,858 | 12,169 | 40,574 | 4,225 |
| Sail duck | do | 2,605,588 | 744,187 | 2,703,628 | 776,191 | 1,674,240 | 470,030 |
| Cotton bagging | do | 43,940 | 4,963 | 803,489 | 87,966 | 207,906 | 18,966 |
| Wines, Madeira, in casks | gallons | 118,706 | 241,680 | 120,715 | 244,738 | 114,626 | 202,027 |
| in bottles | do | 13,391 | | 13,417 | | | |
| Sherry, in casks | do | 31,299 | 46,227 | 40,551 | 55,134 | 78,905 | 91,030 |
| in bottles | do | 372 | | 372 | | | |
| Red, of France and Spain | do | 1,473,648 | 303,968 | 2,062,396 | 445,570 | 934,451 | 227,927 |
| Of France, Spain, &c. not enumerated | do | 2,347,916 | 789,002 | 2,781,043 | 923,341 | 1,888,355 | 609,591 |
| Of Sicily and other countries, in casks | do | 538,402 | 622,053 | 585,690 | 718,696 | 663,725 | 542,483 |
| in bottles | do | 177,537 | | 241,372 | | | |
| Spirits—from grain | do | 580,793 | 268,050 | 689,605 | 321,903 | 530,550 | 242,137 |
| from other materials | do | 1,528,417 | 737,039 | 2,120,535 | 1,043,115 | 1,960,973 | 795,600 |
| Molasses | do | 15,055,573 | 2,383,248 | 15,860,553 | 2,524,281 | 17,085,878 | 2,432,488 |
| Beer, ale and porter | do | 48,349 | 50,838 | 71,343 | 73,733 | 61,759 | 57,271 |
| Vinegar | do | 26,359 | 5,176 | 57,580 | 11,161 | 36,543 | 6,692 |
| Oil—spermaceti | do | 49 | | 52 | | 425 | |
| whale and other fish | do | 421 | | 421 | | 456 | |
| olive, in casks | do | 91,179 | | 91,827 | | 234,647 | |
| castor | do | 23 | 376,544 | 87 | 433,738 | 67 | 200,408 |
| linseed | do | 608,396 | | 719,898 | | 118,556 | |
| rapeseed | do | 240 | | 240 | | 13 | |
| hempseed | do | 348 | | 348 | | | |
| Teas—Bohea | pounds | 637,341 | | 637,341 | | 415,058 | |
| souchong | do | 2,960,760 | | 2,960,764 | | 1,415,445 | |
| hyson skin | do | 1,344,353 | 2,787,669 | 1,345,600 | 2,788,353 | 436,190 | 1,418,037 |
| hyson | do | 4,142,893 | | 4,142,919 | | 2,504,125 | |
| imperial | do | 819,982 | | 819,982 | | 412,049 | |
| Coffee | do | 81,363,466 | 7,914,861 | 91,722,329 | 9,099,464 | 81,757,386 | 6,317,666 |
| Cocoa | do | 1,501,520 | 70,160 | 1,622,336 | 83,596 | 2,839,445 | 152,134 |
| Chocolate | do | 4,766 | 1,337 | 6,342 | 2,021 | 5,747 | 2,444 |
| Sugar—brown | do | 55,021,125 | 2,317,056 | 60,117,717 | 2,536,441 | 98,576,928 | 4,220,983 |
| white | do | 5,343,014 | 335,983 | 6,334,571 | 377,247 | 10,437,726 | 689,884 |
| candy and loaf | do | 30,596 | 2,490 | 36,479 | 2,916 | 215,739 | 20,899 |
| other refined | do | 124 | 15 | 124 | 15 | 775 | 48 |
| Fruits—almonds | do | 1,465,419 | | 1,606,762 | | 1,189,589 | |
| currants | do | 276,503 | | 287,881 | | 233,033 | |
| prunes | do | 226,528 | 436,409 | 261,777 | 463,938 | 96,948 | 554,307 |
| figs | do | 672,995 | | 678,012 | | 1,251,823 | |
| raisins, in jars | do | 2,500,933 | | 2,615,681 | | 3,892,696 | |
| other | do | 1,667,890 | | 1,767,679 | | 3,588,050 | |
| Spices—ginger | do | 2,875 | | 2,875 | | 1,998 | |
| Cayenne pepper | do | 1,024 | | 1,024 | | 777 | |
| mace | do | 2,144 | | 2,144 | | 1,144 | |
| nutmegs | do | 46,802 | | 46,802 | | 13,179 | |
| cinnamon | do | 10,564 | 282,056 | 10,567 | 306,013 | 21,849 | 279,095 |
| cloves | do | 102,704 | | 102,707 | | 88,358 | |
| black pepper | do | 2,765,016 | | 2,765,021 | | 2,060,135 | |
| pimento | do | 857,131 | | 1,106,775 | | 1,524,500 | |
| cassia | do | 476,079 | | 476,079 | | 277,008 | |
| Candles—spermaceti and wax | do | 2,474 | 969 | 2,743 | 1,072 | 307 | 117 |
| tallow | do | 117,774 | 8,510 | 174,531 | 12,235 | 22,774 | 1,559 |
| Cheese | do | 185,225 | 18,236 | 198,709 | 20,073 | 59,739 | 7,277 |
| Soap | do | 731,329 | 44,084 | 768,645 | 46,695 | 163,170 | 9,640 |
| Tallow | do | 225,586 | 12,410 | 225,920 | 12,445 | 149,667 | 10,206 |

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| *Species of merchandise.* PAYING SPECIFIC RATES OF DUTY. | | *In American vessels.* Quantity. | Value. | *Total*—1830. Quantity. | Value. | *Total*—1831. Quantity. | Value. |
|---|---|---|---|---|---|---|---|
| Lard | do | 723 | 41 | 723 | 41 | 5,778 | 451 |
| Beef and pork | do | 22,830 | 1,367 | 90,837 | 2,115 | 335,922 | 6,690 |
| Bacon | do | 10,758 | 1,186 | 24,305 | 2,204 | 27,757 | 2,508 |
| Butter | do | 3,139 | 505 | 3,666 | 592 | 746 | 104 |
| Saltpetre | do | 221 | 21 | 333 | 31 | 240 | 22 |
| Vitrol—blue or Roman | do | 4,557 } | 313 | 4,557 } | 313 | | |
| oil of | do | 16 } | | 16 } | | | |
| Camphor—crude | do | 9,887 } | 6,317 | 9,887 } | 6,317 | 68,434 | 13,705 |
| refined | do | 3,216 } | | 3,216 } | | | |
| Salts—Epsom | do | 926 } | 41 | 926 } | 41 | 131 | 6 |
| glauber | do | 424 } | | 424 } | | | |
| Tobacco, manufactured, other than snuff and cigars | do | 76 | 40 | 1,401 | 226 | 75 | 24 |
| Snuff | do | 905 | 505 | 1,284 | 664 | 4,075 | 2,365 |
| Indigo | do | 1,104,428 | 968,094 | 1,114,827 | 978,179 | 803,252 | 759,012 |
| Cotton | do | 442,688 | 34,520 | 442,688 | 34,520 | 345,459 | 33,475 |
| Gunpowder | do | 16,250 | 5,566 | 33,032 | 9,382 | 72,239 | 20,043 |
| Bristles | do | 406,228 | 108,779 | 410,206 | 110,722 | 245,486 | 74,776 |
| Glue | do | 294,505 | 25,789 | 310,673 | 27,373 | 99,796 | 9,328 |
| Ochre—dry | do | 773,272 | 11,963 | 1,527,986 | 25,678 | 1,172,195 | 18,205 |
| in oil | do | 240 | 35 | 240 | 35 | 1,184 | 53 |
| White and read lead | do | 383,704 | 21,520 | 557,781 | 30,791 | 111,178 | 6,762 |
| Whiting, and Paris white | do | - | - | 340,465 | 2,711 | 65.590 | 630 |
| Orange mineral | do | 367 | 22 | 367 | 22 | 385 | 26 |
| Sugar of lead | do | 229,372 | 25,177 | 353,563 | 40,611 | 147,223 | 16,779 |
| Lead—bar, sheet and pig | do | 3,861,807 | 87,846 | 5,833,588 | 124,311 | 2,108,165 | 52,120 |
| shot | do | 8,423 | 312 | 8,563 | 321 | 6,965 | 290 |
| Cordage—tarred and cables | do | 2,204,176 | 102,364 | 2,459,301 | 116,389 | 684,507 | 33,522 |
| untarred and yarn | do | 69,966 | 3,583 | 79,129 | 3,999 | 105,725 | 6,344 |
| Twine, packthread and seines | do | 353,794 | 75,453 | 452,850 | 95,772 | 379,716 | 71,172 |
| Corks | do | 219,999 | 49,554 | 235,054 | 52,252 | 140,918 | 31,455 |
| Copper—rods and bolts | do | 11,675 | 2,080 | 16,794 | 3,077 | 20,379 | 3,906 |
| nails and spikes | do | 1,182 | 219 | 5,010 | 1,069 | 7,675 | 1,542 |
| Fire arms—muskets | No. | 4,078 | 12,501 | 4,399 | 14,239 | 1,079 | 2,946 |
| rifles | do | 21 | 330 | 23 | 349 | 18 | 193 |
| Iron, and steel wire, not above No. 14 | pounds | 213,499 } | 81,915 | 243,390 } | 91,069 | 608,779 | 67,718 |
| above No. 14 | do | 397,528 } | | 419,605 } | | | |
| tacks, brads, &c. not above 16 oz. per M. | M. | 29,128 } | 3,238 | 30,388 } | 3,394 | 27,972 } | 4,297 |
| above 16 | pounds | 2,248 } | | 2,497 } | | 1,905 } | |
| nails | do | 656,154 | 42,291 | 746,544 | 47,130 | 814,748 | 52,597 |
| spikes | do | 106,884 | 4,264 | 150,623 | 5,635 | 75,999 | 3,175 |
| cables and chains, or parts thereof | do | 1,312,571 | 56,125 | 2,454,360 | 106,576 | 1,004,540 | 51,341 |
| mill cranks | do | | | | | 23 | 3 |
| mill saws | No. | 3,850 | 10,956 | 4,121 | 11,964 | 5,679 | 16,160 |
| anchors | pounds | 48,132 | 2,593 | 78,921 | 4,087 | 54,771 | 2,287 |
| anvils | do | 1,232,499 | 68,182 | 1,393,295 | 77,130 | 1,253,450 | 64,064 |
| hammers and sledges | do | 77,046 | 3,105 | 90,637 | 3,669 | 166,166 | 4,249 |
| castings | do | 1,858,013 | 38,944 | 2,999,039 | 59,545 | 1,174,510 | 32,143 |
| brazier's rods | do | 346,439 | 8,823 | 525,313 | 13,727 | 487,013 | 13,660 |
| nail rods | do | 123,210 | 1,988 | 196,542 | 2,063 | 227,160 | 4,585 |
| sheet and hoop | do | 5,646,907 | 165,395 | 6,391,578 | 182,559 | 5,672,779 | 151,909 |
| slit or rolled | do | 7,334 | 176 | 7,334 | 176 | 23,234 | 724 |
| pig | cwt. | 109,906 | 123,300 | 203,025 | 222,303 | 138,967 | 160,681 |
| bar and bolt, rolled | do | 261,498 | 435,933 | 427,745 | 701,549 | 344,918 | 544,664 |
| hammered | pounds | 69,123,417 | 1,578,881 | 85,456,164 | 1,929,493 | 52,232,192 | 1,260,166 |
| slabs, blooms, &c. | do | | | | | | |
| Steel | cwt. | 40,418 | 471,985 | 54,929 | 645,510 | 34,203 | 399,635 |
| Hemp | do | 142,411 | 815,760 | 150,739 | 866,865 | 51,909 | 295,706 |
| Flax, unmanufactured | do | 1,837 | 16,194 | 1,837 | 16,194 | 463 | 6,472 |
| Wool do | pounds | 3,764,467 | 649,350 | 4,042,838 | 698,721 | 5,622,960 | 1,288,909 |
| Alum | cwt. | 76 | 1,198 | 78 | 1,206 | 9 | 13 |
| Copperas | do | 365 | 369 | 448 | 458 | 21 | 30 |
| Wheat flour | cwt. | 6 | 21 | 9 | 29 | 5 | 14 |
| Salt | bushels | 3,605,112 | 449,801 | 5,041,326 | 634,910 | 4,182,340 | 535,138 |
| Coal | do | 1,024,213 | 112,648 | 2,043,389 | 211,017 | 1,022,245 | 108,250 |
| Wheat | do | 1,164 | 1,146 | 1,168 | 1,151 | 620 | 685 |
| Oats | do | 297 | 148 | 1,187 | 331 | 1,226 | 333 |
| Potatoes | do | 13,903 | 5,363 | 45,816 | 18,436 | 24,521 | 7,818 |
| Paper—folio and quarto post | pounds | 15,280 } | | 20,449 } | | 17,357 } | |
| foolscap | do | 731,552 } | | 752,322 } | | 1,221,245 } | |
| printing | do | 4,829 } | 127,785 | 4,829 } | 136,555 | 5,328 } | 212,994 |
| sheathing | do | 1,455 } | | 9,394 } | | 20,423 } | |
| all other | do | 34,967 } | | 38,928 } | | 45,680 } | |
| Books—printed previous to 1775 | volumes | 880 } | | 954 } | | 3,077 } | |
| in other languages than English, &c. | do | 63,873 } | 127,000 | 70,920 } | 133,626 | 91,158 } | 175,049 |
| Latin or Greek | pounds | 6,657 } | | 8,085 } | | 11,925 } | |
| all other | do | 84,830 } | | 86,703 } | | 123,660 } | |
| Glass ware—cut and not specified | do | 22,559 | 9,327 | 24,221 | 10,079 | 18,344 | 7,813 |
| all other articles | do | 509,978 | 68,490 | 1,060,291 | 128,175 | 749,485 | 102,075 |
| Glass—apothecaries' vials, not above 6 oz. and less | groce | 956 } | 2,164 | 1,356 } | 3,237 | 341 } | 1,960 |
| above 6 oz. and not above 8 oz. | do | 3 } | | 19 } | | 61 } | |
| bottles, not above 1 quart | do | 12,329 } | | 25,874 } | | 17,875 } | |
| above 1 and not above 2 quarts | do | 49 } | 58,080 | 64 } | 119,835 | 4 } | 81,877 |
| above 2 and not above 1 gallon | do | } | | 16 } | | 14 } | |
| demijohns | No. | 29,887 | 9,006 | 58,410 | 17,013 | 58,157 | 17,851 |
| window, not above 8 by 10 in. | 100 sq. ft. | 231 } | | 394 } | | 854 } | |
| 10 by 12 do | do | 285 } | | 469 } | | 375 } | |
| above 10 by 12 and not above 10 by 15 in. | do | 480 } | 30,909 | 856 } | 63,241 | 685 } | 59,576 |
| above 10 by 15 | do | 1,435 } | | 3,183 } | | 2,691 } | |
| uncut, in plates | do | 2 } | | 2 } | | } | |

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| *Species of merchandise.* PAYING SPECIFIC RATES OF DUTY. | | *In American vessels.* Quantity. | Value. | *Total*—1830. Quantity. | Value. | *Total*—1831. Quantity. | Value. |
|---|---|---|---|---|---|---|---|
| Fish—dried | quintals | 170 | | 1,359 | | 1,363 | |
| salmon | barrels | 775 | 6,670 | 2,104 | 28,584 | 2,314 | 49,421 |
| mackerel | do | 24 | | 32 | | 4,552 | |
| all other | do | 126 | | 264 | | 454 | |
| Shoes and slippers, silk | pairs | 2,194 | | 2,604 | | 4,335 | |
| prunelle, and other of stuff, &c. | do | 3,091 | 15,701 | 3,160 | 17,170 | 1,291 | 11,954 |
| leather, &c. for men and women | do | 14,777 | | 16,535 | | 11,199 | |
| childrens | do | 3,827 | | 5,819 | | 811 | |
| Boots and bootees | do | 1,503 | 2,690 | 2,007 | 3,428 | 1,455 | 2,868 |
| Cigars | M. | 39,563 | 447,165 | 42,516 | 473,134 | 39,212 | 433,457 |
| Playing cards | packs | 2,688 | 176 | 2,688 | 176 | 1,517 | 118 |
| Roofing slates, not exceeding 12 by 6 in. | tons. | 36 | | 134 | | | |
| 12 by 14 do | do | 192 | | 584 | | | |
| 14 by 16 do | do | 3,071 | | 3,665 | | | |
| 16 by 18 do | do | 174 | 38,362 | 606 | 81,732 | | 70,349 |
| 18 by 20 do | do | 351 | | 974 | | | |
| 20 by 24 do | do | 66 | | 700 | | | |
| above 20 by 24 do | do | | | 13 | | | |
| Value of merchandise paying specific duties | | | 29,458,823 | | 34,002,432 | | 28,199,533 |
| do do ad valorem | | | 47,944,096 | | 52,777,381 | | 61,534,966 |
| do do free of duty | | | 12,895,310 | | 14,249,453 | | 13,456,625 |
| Total value | | | $90,298,229 | | 101,029,266 | | 103,191,124 |

*Treasury department, register's office, February 12, 1833.*

T. L. SMITH, *register.*

☞BRIEF [EDITORIAL] ABSTRACT, SHEWING FROM WHENCE CERTAIN PORTIONS OF THE CHIEF ARTICLES WERE IMPORTED, IN 1832.

Rags—$383,239 from Italy and Trieste, and some from the Hanse Towns, &c.

Furs—chiefly from England and British American colonies.

Hides and skins—$1,408,651 Argentine Rep. 1,210,729 Brazil, 253,623 Colombia, 226,761 British East Indies, 220,244 Chili, 160,888 Peru, &c.

Wood dye—from Mexico, Hayti, Honduras and Africa.

Mahogany—205,308 Hayti, 34,414 Cuba, 19,310 British West Indies.

Copper, in pigs 352,702 Peru, 231,298 Chili, 68,654 China, 62,317 Manilla, 20,067 England.

Copper, sheathing—621,648 England.

Bullion, gold—England, Mexico, Africa.

——— silver—538,592 Mexico, 107,776 Chili.

Specie, gold—195,622 Colombia, 177,284 British West Indies, 57,820 British American colonies, 35,210 England.

——— silver—3,086,029 Mexico, 484,925 Br. American colonies, 231,928 Br. West Indies, 111,932 French West Indies—all else under 100,000.

| *Manufactures of wool.* | | *From G. B. & Ireland.* |
|---|---|---|
| Cloths— | | |
| not exceeding 33⅓ cts sq. yd. | $503,193 | 501,383 |
| 50 | 944,631 | 902,789 |
| 100 | 2,262,193 | 2,033,589 |
| 250 | 1,804,701 | 1,639,552 |
| 400 | 78,006 | 73,294 |
| exceeding 400 | 12,310 | 12,075 |
| Blankets | 602,796 | 509,952 |
| Hosiery, gloves, &c, | 260,563 | 221,497 |
| Bombasins | 327,623 | 121,135 |
| Worsted stuffs | 2,615,124 | 2,467,447 |
| All other | 351,132 | 307,112 |
| *Whole value* | 9,763,272 | 8,809,825 |

So that of $9,763,272, the whole importation, $8,809,825 were from England, Scotland and Ireland—nearly all from the former.

Of the cloths not exceeding 100 cents the square yard $192,021, and of those not exceeding 250 cents, 120,347 were received from France.

Of the blankets $77,942 from France; of the bombasins 206,117 France; of the worsted stuffs 75,490 Hanse Towns, &c. and 69,489 France.

| *Manufactures of cotton.* | | *From G. Br. &c.* |
|---|---|---|
| Painted or colored | 6,355,475 | 5,336,423 |
| White | 2,258,672 | 1,784,938 |
| Hosiery, gloves, &c. | 1,035,513 | 559,854 |
| Twist and yarn | 316,122 | 300,924 |
| Nankins | 120,629 | 10,929 |
| All other | 313,242 | 111,596 |
| | 10,399,653 | 8,104,664 |

Of printed or colored goods 654,844 from France, 276,737 Hanse Towns; of the white 409,257 France; of the hosiery 450,262 Hanse Towns; of other manufactures 142,685 from France.

Hats, caps and bonnets of grass or straw—chiefly from Italy.

Silks from India—whole value 2,564,262; from China 1,896,305; British East Indies 591,001; Dutch E. Indies 63,992. Sewing silk from China.

| *Other silk goods.* | | *From France.* |
|---|---|---|
| Piece goods | 4,000,010 | 3,232,758 |
| Sewing silk | 552,241 | 164,021 |
| Hosiery, gloves, &c. | 204,635 | 114,894 |
| Other articles | 1,641,384 | 1,536,144 |
| | 6,398,270 | 5,047,817 |

Of the piece goods 443,231 from Italy, 256,934 England; sewing silk 304,362 Italy; other articles 58,985 England.

Laces—whole value 846,412; from England 660,232; from France 113,898; from Hanse Towns 53,823.

| *Manufactures of flax.* | | *From G. B. & Ireland.* |
|---|---|---|
| Linens, bleached or unb. | 3,391,503 | 2,282,118 |
| Checks and stripes | 37,056 | 11,413 |
| Other | 644,605 | 436,518 |
| | 4,073,168 | 2,730,049 |

Of the linens 541,769 dollars worth were from the Hanse Towns, &c. and 370,183 from France.

Ticklenburgs, &c.—chiefly from Scotland, and 44,067 Hanse Towns.

Sheetings (hemp)—chiefly from Russia.

Watches and parts—465,477 England, 289,206 France.

| *Manufactures of iron and steel.* | | *England, &c.* |
|---|---|---|
| Side arms, &c. | 305,205 | 183,101 |
| Drawing Knives, &c. | 62,774 | 62,443 |
| Bridle bits | 99,977 | 99,944 |
| Steel yards, &c. | 67,613 | 67,293 |
| Cutting knives, &c. | 133,677 | 108,985 |
| Screws, 25 lbs. and upwards | | |
| ——— "wood" | 133,968 | 133,555 |
| Other articles | 3,894,298 | 3,704,494 |
| | 4,697,512 | 4,359,815 |

Of the side arms, &c. 54,134 from France, 62,518 Netherlands; of "other articles" 115,712 Hanse Town; 33,158 France.

Glass not subject to specific duties—nearly all from the Hanse Towns. China or porcelain 53,336 England; 16,610 China. Earthen and stone 1,848,785 England. Japanned 54,197 England. Plated 287,088 England.

Brass wares 534,997, England, &c. 138,660 France; 55,407 Hanse Towns, 52,111 Netherlands.

The various minor manufactures that follow in the tables, (and have been already sufficiently noticed in the next preceding statement), were chiefly imported from England—except those of leather and paper hangings which were chiefly from France.

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| | |
|---|---|
| Whole value of art's subject to ad val. duties | 52,777,381 |
| of which from Eng. Scotland & Ireland | 30,660,427 |
| France | 10,098,421 |
| Hanse Towns, &c. | 2,465,879 |
| China | 2,392,733 |
| British East Indies | 1,457,375 |
| Italy | 1,135,040 |
| Russia | 724,721 |
| Netherlands | 702,418 |
| Cuba | 579,867 |

All else under 500,000 dollars.

Cotton bagging—nearly all from Scotland.

Carpets—nearly all from England and Scotland.

Painted floor cloths—the same.

Sail duck—chiefly from Russia; but some from the Netherlands and Hanse Towns.

Wines—chiefly from France.

Spirits distilled from grain—chiefly from the Netherlands.

Spirits from other materials—chiefly from France.

Oils—chiefly linseed, from England and the Netherlands.

Teas—all except a few pounds, direct from China.

Coffee—25,733,582 lbs. from Brazil; 24,128,542 Cuba; 15,934,853 Hayti; 7,802,111 Dutch East Indies; 6,640,630 other Spanish W. Indies; 5,978,049 Colombia; 1,570,708 Danish West Indies; all else less than 1,000,000.

Sugar, brown—24,744,876 lbs. from Cuba; 19,706,600 other Spanish W. Indies; 10,191,735 Danish W. Indies; 1,384,191 British W. Indies; 1,935,565 Manilla; all else less than 500,000 lbs. White or clayed, nearly all from Cuba.

Fruits—whole value 463,938—from Spain 222,437; France 93,515; Turkey, &c. 55,973; Gibraltar 45,354.

Spices—from British W. Indies, Asia, generally, &c.

Indigo—883,840 lbs. British East Indies; 131,737 Colombia; 29,918 England; all else of small amount.

Bristles and glue—chiefly from Russia.

Ochre and white and red lead—chiefly from England.

Lead, bar, sheet and pig—2,090,211 lbs. England; 1,518,480 Spain; 581,463 Gibraltar; 515,831 Hanse Towns; 438,261 France; all else of small amount.

Cordage—chiefly from Russia.

*Other manufactures of iron and steel.*

| | | *Whole quantity, &c.* | *England, &c.* |
|---|---|---|---|
| Muskets | *no.* | 4,399 | 3,802 |
| Rifles | " | 23 | 15 |
| Wire | *lbs.* | 662,995 | 662,435 |
| Tacks, brads, &c. | *dol.* | 3,394 | 1,939 |
| Nails | *lbs.* | 746,544 | 726,550 |
| Spikes | " | 150,623 | 141,997 |
| Cables, &c. | " | 2,454,360 | 2,285,541 |
| Mill saws | *no.* | 4,121 | 4,048 |
| Anchors | *lbs.* | 78,921 | 51,310 |
| Sheet and hoop | " | 6,391,578 | 5,279,170 |
| Casement rods | " | 7,334 | 6,757 |
| Iron in pigs | *cwt.* | 203,025 | 194,010 |
| Bar & bolt—rolled | *lbs.* | 427,745 | 423,108 |
| ——hammered | " | 85,456,164 | 6,714,138 |
| Steel | *cwt.* | 54,929 | 38,736 |

1,059,203 *lbs.* sheet and hoop iron from Russia.

46,848,263 *lbs.* hammered bar iron from Sweden, 29,252,007 from Russia, 1,903,523 Denmark—all else of small amounts.

38,763 cwt. steel from England, 8,194 from the Netherlands, 4,464 Sweden, 1,838 Hanse Towns, 1,621 Trieste—all else small.

Hemp—nearly all from Russia. Flax the same.

Wool, in all 4,042,838 *lbs.* From Turkey &c. 2,000,983, Argentine Republic 348,894, England 332,515, Spain 335,393, Portugal 158,615, Sweden 152,587, Russia 131,351, Denmark 97,296, Brazil 85,547. All else less than 50,000 *lbs.*

Salt—in all 5,041,326 bushels: from England 2,472,069, British West Indies 1,374,970, Portugal 372,888, Spain 284,478, British American colonies 174,763, Cape de Verds 87,336, France 74,808. All else under 50,000.

Coal—in all 2,043,389 bushels; from British American colonies 1,124,693, England, &c. 916,374.

Paper, writing, &c.—whole value $136,555—from Spain 39,731, France 26,299, England 17,812, Italy 21,689, Cuba 14,748, Gibraltar 10,405. All else under 10,000 dollars.

Books—chiefly from England and France.

Glass wares—chiefly England and Hanse Towns. Window glass, chiefly from England and Scotland.

Cigars—nearly all from Cuba.

Roofing slates—all from Great Britain and Ireland.

—

*Summary statement of goods, wares and merchandise, of the growth, product or manufacture of* FOREIGN COUNTRIES *exported from the United States—commencing 1st October 1831, and ending 30th September, 1832.*

[Classes of articles of which the value exported was less than 10,000 dollars, omitted. The articles marked with a (*) were nearly all subject to drawback.]

| | |
|---|---|
| Lapie's caliminaris—chiefly to China | $26,286 |
| Hides and skins—Netherlands and Hanse Towns, chiefly | 712,306 |
| Dye woods—England, France, &c. | 464,833 |
| Wood unmanufactured—Hanse Towns, E. Indies, &c. | 41,943 |
| Furs—chiefly to England | 36,917 |
| Copper in pigs—chiefly British E. Indies | 15,785 |
| ——sheathing—Cuba, British E. Indies, &c. | 35,267 |
| Bullion, gold 7,615 | |
| ——silver—all except 100 to England | 255,517 |
| Specie, gold | 630,850 |
| 133,122 Cuba, 45,021 France, 41,753 British East Indies, 42,360 other Spanish W. Indies, 111,509 Colombia, 60,777 Argentine Republic, 18,779 England, 14,762 China, &c. | |
| Specie, silver— | 3,351,417 |
| England 835,311, Dutch East Indies 420,096, France 413,329, Brazil 269,994, China 452,119, Asia, generally 404,681, British East Indies 170,633, Chili 86,000, Russia 82,053 Teneriffe, &c. 36,000, Manilla 56,000. All other less than 50,000. | |
| Total value of merchandise, free of duty exported | $5,590,616 |
| Of which there was in gold and silver bullion and coin | 4,245,399 |
| *Manufactures of wool,** all kinds, | 374,909 |
| *Manufactures of cotton** | 2,322,087 |
| Printed 1,094,412, white 782,356, hosiery, &c. 62,775, twist and yarn 29,026, nankeen 185,945, other 167,732, | |
| Silks, from India* | 649,054 |
| Chiefly to Cuba, Mexico and S. America, | |
| Silk goods—other than India* | 620,387 |
| To Cuba, Mexico and S. America, &c. | |
| Laces, (Cuba, Mexico and South America)* | 50,015 |
| Manufactures of flax* | 633,083 |
| The chief part to Mexico, Cuba and South America, | |
| Sheetings and other manufactures of hemp* | 550,151 |
| 300,010 to Cuba—the rest chiefly to Mexico, South America and Danish W. Indies, | |
| Clothing ready made* | 16,174 |
| Hats, caps, &c. | 13,129 |
| Side arms, &c, 15,944,* cutting knives,* &c. | 13,701 |
| Other manufactures of iron and steel | 115,569 |
| Watches and parts* | 20,226 |
| Articles composed chiefly of precious stones* | 29,468 |
| Glass not subject to specific duties* | 9,515 |
| China, earthen or stone wares | 55,644 |
| Quicksilver*—chiefly China and Chili | 309,206 |
| Tin in plates* | 14,476 |
| Crude saltpetre*—chiefly Netherlands & England | 156,624 |
| Opium*—Dutch E. I. and Asia generally | 96,110 |
| Raw silk*—England and France | 48,800 |
| Articles subject to ad valorem duties, but not specially enumerated* | 7,649,805 |
| Of which—2,175,461 to Mexico, 1,225,857 Cuba, 729,079 England, 557,516 Colombia, 473,283 Chili, 360,393 China, 372,907 Hayti, 248,500 Argentine Republic, 222,318 Brazil. All else under 200,000 dollars. | |
| Sail duck*—Cuba, Brazil, &c. | 127,773 |
| Wine, Madeira* | 16,916 |
| ——— red* | 48,597 |
| ——— other of France and Spain* | 62,241 |
| ——— of Sicily, &c.* | 88,841 |
| The wines were exported chiefly to Mexico and South America. | |
| Spirits from grain* | 27,173 |
| ——— other materials* 635,204 gals. | 305,449 |
| Oils* | 56,357 |

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**Teas*** 702,014
To Hanse Towns, France, Netherlands, Brazils, Gibraltar, &c.

**Coffee,*** 55,251,158 lbs. 6,583,344
13,907,618 lbs. to Netherlands, 13,397,751 France, 6,457,985 Trieste, &c. 7,486,309 Hanse Towns, 4,099,963 England, 2,065 859 Italy and Malta, 1,582,607 Denmark, 663,100 Russia. All else of small amounts.

**Cocoa*** 1,418,352 lbs. 92,551
To Cuba, Mexico, Spain, France, &c.

**Sugar, brown*** 14,230,070 lbs. 695,943
4,695,575lbs. to Netherlands, 4,104,885 Hanse Towns, 1,603,306 Sweden, 819,121 Denmark, 815,125 Italy and Malta, 500,858 Trieste, &c. 459,334 France.

**Sugar, white*** 3,258,875 lbs. 233,982
Chiefly to the Mediterranean, Russia, Hanse Towns, Denmark and Mexico.

**Fruits*** 36,696

**Spices*** 293,954

**Tallow candles*** 15,669

**Cheese*** 140,198 lbs. 17,752
Chiefly to Cuba.

**Saltpetre*** 788,401 lbs. 48,474
Chiefly to France and England.

**Indigo*** 303,108 lbs. 358,526
Russia, Netherlands, France, Turkey, Hanse Towns.

**Cotton*** 452,977 lbs. 50,508
To England, Scotland, France, &c.

**Lead, bar, sheet & pig*** 3,089,720 lbs. 97,304
Nearly all to China.

**Cordage,*—cables** 1,330,434 lbs. 96,883

**—— untarred and yarn*** 345,192 lbs. 23,220

**Muskets*** 4,770 no. 17,911

**Iron, rolled*** 9,796 cwt. 31,331

**—— hammered*** 681,804 lbs. 19,817

**Steel*** 2,416 cwt. 15,662
Iron and steel to Mexico and South America, Br. E. Indies and China, &c.

**Wool*** 1,227,959 lbs. 197,219
Chiefly to England, Netherlands and Hanse Towns.

**Paper*** 178,267
Mexico, South America and Hayti.

**Cigars*** 9,979 m. 120,991
To England, Mexico and South America, France, Netherlands, &c.

## GENERAL RECAPITULATION OF FOREIGN EXPORTS.

*Value of merchandise exported to each country.*

| *Whither exported.* | *Free of duty.* | *Paying duties ad valorem.* | *Paying specific duties.* | *Total.* | *In American vessels.* | *In foreign vessels.* | *To the dominions of each power.* |
|---|---|---|---|---|---|---|---|
| Russia | $116,929 | $25,502 | $319,137 | $461,568 | $461,285 | $283 | $461,568 |
| Sweden and Norway | 38,338 | | 114,027 | 152,365 | 97,224 | 55,141 | 159,843 |
| Swedish West Indies | | 569 | 6,909 | 7,478 | 7,478 | | |
| Denmark | 37,843 | 27,195 | 285,077 | 350,115 | 279,133 | 70,982 | 632,456 |
| Danish West Indies | 41,131 | 164,639 | 76,571 | 282,341 | 258,001 | 24,340 | |
| Netherlands | 524,548 | 175,993 | 2,169,949 | 2,870,490 | 2,554,784 | 315,706 | |
| Dutch West Indies | 586 | 27,384 | 18,674 | 46,644 | 46,644 | | 3,420,638 |
| Dutch East Indies | 426,898 | 63,734 | 12,872 | 503,504 | 503,504 | | |
| England | 1,348,217 | 729,079 | 797,841 | 2,875,137 | 1,886,905 | 988,232 | |
| Scotland | 1,988 | 12,415 | 6,461 | 20,864 | 11,365 | 9,499 | |
| Ireland | | 4,115 | | 4,115 | 4,115 | | |
| Gibraltar | 34,822 | 28,578 | 121,674 | 185,074 | 167,335 | 17,739 | 3,503,336 |
| British East Indies | 258,757 | 25,746 | 54,732 | 339,235 | 339,235 | | |
| British West Indies | 11,119 | 7,440 | 15,269 | 33,828 | 18,404 | 15,424 | |
| British American colonies | 22,899 | 3,873 | 18,311 | 45,083 | 13,441 | 31,642 | |
| Hanse Towns, &c. | 185,185 | 110,982 | 1,356,503 | 1,652,670 | 790,873 | 861,797 | 1,652,670 |
| France on the Atlantic | 476,778 | 121,302 | 938,691 | 1,536,771 | 1,076,927 | 459,844 | |
| France on the Mediterranean | 107,050 | 53,432 | 979,894 | 1,140,376 | 991,044 | 149,332 | 2,696,329 |
| French West Indies | 1,123 | 5,962 | 12,097 | 19,182 | 17,379 | 1,803 | |
| French African ports | | | | | | | |
| Hayti | 1,083 | 372,907 | 51,503 | 425,493 | 334,281 | 91,212 | 425,493 |
| Spain on the Atlantic | 5,921 | 15,675 | 23,085 | 44,681 | 38,321 | 6,360 | |
| Spain on the Mediterranean | | | 1,054 | 1,054 | 1,054 | | |
| Teneriffe and other Canaries | 6,975 | | 876 | 7,851 | 7,851 | | |
| Manilla and Philippine Islands | 60,087 | 44,123 | 9,204 | 113,414 | 113,414 | | 1,870,306 |
| Cuba | 212,902 | 1,225,857 | 191,995 | 1,630,754 | 1,138,408 | 492,346 | |
| Other Spanish West Indies | 42,660 | 21,092 | 8,800 | 72,552 | 70,296 | 2,256 | |
| Portugal | 300 | | | 300 | | 300 | |
| Madeira | | 188 | 741 | 929 | 929 | | 32,299 |
| Fayal and other Azores | | 2,617 | 8,746 | 11,363 | 11,363 | | |
| Cape de Verd Islands | 400 | 8,913 | 10,394 | 19,707 | 15,766 | 3,941 | |
| Italy and Malta | 23,853 | 16,180 | 469,023 | 509,056 | 470,271 | 38,785 | 509,056 |
| Trieste & other Adriatic ports | 27,623 | 10,571 | 898,581 | 936,775 | 889,125 | 47,650 | 936,775 |
| Turkey, Levant and Egypt | 8,271 | 28,141 | 645,474 | 681,886 | 681,886 | | 681,886 |
| Mexico | 6,117 | 2,175,461 | 440,186 | 2,621,764 | 1,550,252 | 1,071,512 | 2,621,764 |
| Central Republic of America | 52,030 | 118,621 | 25,450 | 196,101 | 196,101 | | 196,101 |
| Honduras, Campeachy, &c. | | 6,689 | 10,708 | 17,397 | 17,397 | | 17,397 |
| Columbia | 60,385 | 557,516 | 92,266 | 710,167 | 672,860 | 37,307 | 710,167 |
| Brazil | 388,122 | 222,318 | 212,277 | 822,717 | 796,073 | 26,644 | 822,717 |
| Argentine republic | 79,033 | 248,500 | 130,875 | 458,408 | 458,408 | | 458,408 |
| Chili | 100,762 | 473,283 | 67,704 | 641,749 | 641,749 | | 641,749 |
| Peru | | 2,230 | 8,604 | 10,834 | 10,834 | | 10,834 |
| South America, generally | | | | | | | |
| West Indies, generally | 245 | 2,660 | 3,603 | 6,508 | 5,804 | 704 | 6,508 |
| Europe, generally | 415 | 3,494 | 3,502 | 7,411 | 4,315 | 3,096 | 7,411 |
| South Seas | 2,000 | 6,355 | 4,483 | 12,838 | 12,838 | | 12,838 |
| China | 472,540 | 360,393 | 91,427 | 924,360 | 924,360 | | 924,360 |
| Northwest coast of America | | 34,684 | 15,842 | 50,526 | 50,526 | | 50,526 |
| Africa, generally | | 51,054 | 55,495 | 106,549 | 105,823 | 726 | 106,549 |
| Asia, generally | 404,681 | 52,343 | 12,465 | 469,489 | 469,489 | | 469,489 |
| Total | 5,590,616 | 7,649,805 | 10,799,052 | 24,039,473 | 19,214,870 | 4,824,603 | 24,039,473 |
| Entitled to drawback | | 7,057,292 | 10,674,601 | 17,731,893 | 13,667,021 | 4,064,872 | |
| Not entitled to drawback | 5,590,616 | 592,513 | 124,451 | 6,307,580 | 5,547,849 | 759,731 | |

*Treasury department, register's office, February* 12, 1833.

T. L. SMITH, *register.*

GENERAL STATEMENT OF GOODS WARES AND MERCHANDISE, OF THE GROWTH PRODUCT OR MANUFACTURE OF THE UNITED STATES, EXPORTED—IN THE YEAR ENDING 30TH SEPTEMBER, 1832. ☞-*Also a like statement for the preceding year*, 1831.

*Products of the sea.*

| | | 1832. | | 1831. | |
|---|---|---|---|---|---|
| Fish—dried or smoked | *qt.* | 250,514 | $749,909 | 230,577 | $625,393 |
| pickled | *bbls.* | 102,770 | 306,812 | 91,787 | 304,441 |
| | *kegs.* | 4,030 | | 8,594 | |
| Oil—spermaceti | *gals.* | 48,212 | 38,161 | 78,159 | 53,526 |
| Whale & other | " | 3,605,913 | 1,009,728 | 1,637,534 | 554,440 |
| Whale bone | *lbs.* | 1,044,227 | 186,595 | 565,926 | 133,842 |
| Spermacceti candles | " | 859,886 | 267,333 | 847,384 | 217,830 |
| | | | 2,558,538 | | 1,889,472 |

*Of the value exported in* 1832. Dried fish—$264,727 Cuba, 134,569 Hayti, 115,092 French West Indies, 58,176 Danish do. 58,012 Dutch do. 28,271 other Spanish do. 25,741 Brazil, and 31,345 West Indies generally. All else of small amounts—To England, &c. none, and to all her colonies less than 5,000. The pickled fish exported had, generally, the same direction as the dried. Spermaceti oil—$38,789 to Cuba. Other whale and fish oil chiefly to the Hanse Towns, and Holland—some to France and Spain, none to England. Whalebone—nearly all to France and Hanse Towns. Spermaceti candles—chiefly to Cuba and other West Indies, and South America—20 dollars worth to England.

*Products of the forest.*

| | | | 1832. | | 1831. |
|---|---|---|---|---|---|
| Staves and heading, shingles, boards, planks, & hewn timber | | | $1,522,053 | | $1,671,160 |
| Other lumber | | | 188,608 | | |
| Masts and spars | | | 73,368 | | 7,806 |
| Oak bark and other dyes | | | 52,9441 | | 99,116 |
| All manufactures of wood | | | 312,678 | | 275,219 |
| Tar and pitch | *bbls.* | 47,523 | 476,291 | 52,995 | 397,687 |
| Rosin & turpentine | | 168,770 | | 156,319 | |
| Ashes, pot & pearl | *tons.* | 8,859 | 930,398 | 10,219 | 965,613 |
| Skins and furs | | | 691,909 | | 750,938 |
| Ginseng | *lbs.* | 408,404 | 99,545 | 357,002 | 115,928 |
| | | | 4,347,794 | | 4,263,477 |

*Of the values exported in* 1832. Staves and heading, shingles, boards and hewn timber—289,636 Cuba, 268,356 British West Indies, 204,149 British American colonies, 142,595 French West Indies, 97,794 Danish do. 68,653 Gibraltar, 55,186 Hayti, 42,652 Spain, 36,135 Mexico—all else under 30,000 dollars.—"Other lumber" in about the same proportions. Masts and spars—chiefly British American colonies and England. Oak bark, &c.—chiefly Hanse Towns, England and France. Manufactures of wood—chiefly Cuba and West Indies. Tar, pitch, rosin and turpentine—chiefly England and British American colonies. Ashes—chiefly British American colonies and France, Holland and Hanse Towns. Skins and furs—chiefly England, Turkey and Hanse Towns. Ginseng—China.

*Products of agriculture—animals.*

| | | | | | |
|---|---|---|---|---|---|
| Beef | *bbs.* | 55,507 | | 60,770 | |
| Tallow | *lbs.* | 625,522 | | 679,623 | |
| Hides | *no.* | 52,110 | | 99,473 | |
| Horned cattle | " | 8,123 | 774,067 | 5,881 | 829,982 |
| Butter | *lbs.* | 1,501,686 | | 1,728,212 | |
| Cheese | " | 1,391,853 | 290,820 | 1,131,817 | 264,796 |
| Pork | *bbls.* | 88,625 | | 51,263 | |
| Hams and bacon | *lbs.* | 1,810,830 | | 1,147,466 | |
| Lard | " | 7,756,782 | | 6,963,516 | |
| Hogs | *no.* | 5,266 | 1,928,196 | 14,690 | 1,501,644 |
| Horses | " | 1,798 | | 2,184 | |
| Mules | " | 1,128 | 164,034 | 1,540 | 218,015 |
| Sheep | " | 12,260 | 23,385 | 8,262 | 14,499 |
| | | | 3,179,522 | | 2,828,936 |

*Of the value exported* 1832. Beef, tallow, hides and horned cattle—285,567 British American colonies, 138,820 Cuba and other Spanish West Indies, 62,780 England, 53,168 British West Indies, 41,647 French do. 34,205 Danish do. All else under 30,000 dollars. Butter and cheese—chiefly British American colonies, Cuba, Hayti. Pork, hams, lard and hogs—645,566 Cuba, and 48,504 other Spanish West Indies, 521,342 British American colonies, 64,059 British West Indies, and 23,788 to England, 233,289 Hayti, 135,252 Danish West Indies—all else under 30,000 dollars. Horses, mules and sheep—chiefly British American colonies.

*Agriculture—vegetable food.*

| | | | | | |
|---|---|---|---|---|---|
| Wheat | *bush.* | 88,304 | 93,500 | 403,910 | 523,270 |
| Flour | *bbl.* | 864,919 | 4,880,623 | 1,806,529 | 9,938,458 |
| Indian corn | " | 451,230 | 278,740 | 571,312 | 396,617 |
| ——— meal | " | 146,710 | 408,035 | 207,604 | 595,434 |
| Rye do | " | 17,254 | 75,392 | 19,100 | 71,881 |
| Rye, oats, &c. | | | 78,447 | | 132,717 |
| Biscuit or ship bread | *bbls.* | 73,883 | 255,735 | 67,113 | 250,530 |
| | *kegs.* | 29,208 | | 46,048 | |
| Potatoes | *bush.* | 106,517 | 42,077 | 112,875 | 41,147 |
| Apples | *bbls.* | 6,928 | 15,314 | 16,375 | 31,148 |
| | | | 6,199,863 | | 11,961,205 |

The following brief statement of the export of flour, in 1832 and 1831, may shew the general course of the trade in the preceding articles.

| | | 1832. | 1831. |
|---|---|---|---|
| Danish West Indies | *bbls.* | 51,275 | 79,361 |
| England | | 95,865 | 879,430 |
| British West Indies | | 100,167 | 100,382 |
| British American colonies | | 135,646 | 150,795 |
| Hayti | | 46,140 | 40,790 |
| Cuba | | 98,248 | 97,999 |
| Brazil | | 103,2e3 | 199,870 |

The export of 1831 was nearly a million of barrels more than in 1832.

| | | | | | |
|---|---|---|---|---|---|
| Rice | *tierces* | 120,327 | 2,152,631 | 116,517 | 2,016,267 |

*Exports of* 1832. To England 23,129 tierces, France 17,840, Cuba 14,949, Holland 9,294, Hanse Towns 6,770, Br. W. Indies 5,994, West Indies generally 1,608, Europe generally 6,577, Denmark 5,195. All else under 3,000 tierces.

Cotton—

| | | | | | |
|---|---|---|---|---|---|
| Sea Island | *lb.* | 8,743,373 | | 8,311,762 | |
| other | | 313,471,749 | $31,724,682 | 266,268,002 | 25,289,492 |

*Export of* 1832. Total value to England, &c. 22,429,050 dollars, France 7,722,875, Hanse Towns 403,099, Holland 392,430. All else under 200,000.

[By the preceding it appears that 48 millions of pounds, and 6¼ millions of dollars worth of cotton, were exported in 1832 than in 1831.

| | | | | | |
|---|---|---|---|---|---|
| Tobacco | *hhd.* | 106,806 | 5,999,769 | 86,748 | 4,892,388 |

*Export of* 1832. To England 36,176 hhd. Hanse Towns 27,930 Holland 24,006, France 5,779, Sweden 1,912, Gibraltar 2,255, Spain 1,095. All else under 1,000 hhd. and chiefly of small amounts, except to British colonies, Italy and Malta, Brazil and Africa generally.

| | | | | | |
|---|---|---|---|---|---|
| Flaxseed | *bush.* | 57,537 | 123,036 | 120,702 | 216,376 |
| Hops | *lb.* | 184,729 | 25,448 | 265,043 | 26,664 |
| Wax | " | 258,559 | 62,444 | 430,929 | 114,017 |

*Manufactures, &c.*

| | | | |
|---|---|---|---|
| Household furniture | | $169,038 | 229,231 |
| Coaches and other carriages | | 45,277 | 49,490 |
| Hats | | 310,912 | 353,013 |
| Saddlery | | 29,572 | 39,440 |
| Beer, ale and cider, and spirits from grain | | 127,583 | 141,794 |
| Leather, and boots and shoes | | 277,318 | 290,938 |
| Tallow candles | 2,498,776 *lb.* | | |
| Soap | 5,743,602 | 701,184 | 643,252 |
| Snuff and tobacco manuf. | | 295,771 | 292,475 |
| Linseed oil and sp. turpentine | | 33,304 | 54,092 |
| Brown sugar, | | 11,232 | 10,105 |
| Cables and cordage | | 13,863 | 6,109 |
| Lead | | 4,483 | 7,068 |
| Nails | 988,334 *lb.* | 65,979 | 62,376 |
| Castings | | 26,629 | 21,827 |
| Manf. of iron | | 120,222 | 149,438 |
| Spirits from molasses | 119,416 *gall.* | 38,221 | 34,569 |
| Sugar, refined | 701,862 *lbs.* | 74,673 | 215,794 |
| Chocolate | | 2,255 | 1,965 |
| Gunpowder | 746,100 *lbs.* | 96,023 | 102,033 |
| Copper and manuf. | | 105,774 | 55,755 |
| Medicinal drugs | | 130,238 | 96,931 |
| Cotton goods—printed | | 104,870 | 947,932 |
| white | | 1,052,891 | |
| Nankeen | | 341 | 2,397 |
| Twist and yarn | | 12,618 | 17,221 |
| All other cottons | | 58,854 | 61,832 |
| Manufactures of flax and hemp | | 4,255 | 2,830 |
| Wearing apparel | | 80,803 | 59,749 |
| Combs and buttons | | 124,305 | 120,217 |
| Brushes | | 4,754 | 3,947 |
| Billiard tables, &c. | | 1,310 | 2,343 |
| Umbrellas, &c. | | 20,361 | 29,580 |
| Leather not sold by the lb. | | 42,565 | 58,146 |
| Fire apparatus | | 7,758 | 5,630 |
| Printing types, &c. | | 22,558 | 8,713 |
| Musical instruments | | 4,952 | 10,903 |
| Books and maps | | 29,892 | 35,609 |
| Paper, &c. | | 64,847 | 55,121 |
| Paints and varnish | | 24,611 | 22,022 |
| Vinegar | | 4,667 | 7,178 |
| Earthen and stone ware | | 6,333 | 7,378 |
| Glass | | 106,855 | 102,738 |
| Tin | | 3,157 | 3,909 |
| Pewter and lead | | 983 | 6,422 |
| Marble and stone | | 3,455 | 3,558 |
| Gold, and gold leaf, &c. | | 653 | 3,464 |
| Gold and silver coin | | 1,410,941 | 2,058,474 |
| Artificial flowers | | 14,852 | 11,439 |
| Molasses | | 2,493 | 948 |
| Trunks | | 5,314 | 5,326 |
| Brick and lime | | 3,502 | 4,412 |
| Salt 45,072 bush. | | 27,914 | 26,848 |
| Other manufactured | | 477,267 | 394,681 |
| ———not manufactured | | 353,161 | 715,311 |

The manufactured articles were chiefly exported to Cuba, Mexico and South America, and West Indies, at large.

[The reader will please to observe that the first and second columns of figures, when quantity and value are both shewn, belong to the year 1832—the others to 1831. So the first column, when the value only is given, belongs to 1832—the last to 1831.]

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# NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 16—VOL. VIII. BALTIMORE, JUNE 15, 1833. [VOL. XLIV. WHOLE No. 1,134.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

SUMMARY STATEMENT OF DOMESTIC EXPORTS.

| WHITHER EXPORTED. | *In American vessels.* | *In foreign vessels.* | *To each country.* | *To the dominions of each power.* |
|---|---|---|---|---|
| Russia | $112,299 | $8,815 | $121,114 | $121,114 |
| Prussia | 11,116 | | 11,116 | 11,116 |
| Sweden and Norway | 64,905 | 149,143 | 214,048 | 355,297 |
| Swedish West Indies | 132,555 | 8,694 | 141,249 | |
| Denmark | 157,166 | 24,459 | 181,605 | 1,575,095 |
| Danish West Indies | 1,273,784 | 119,706 | 1,393,490 | |
| Holland | 1,795,279 | 437,513 | 2,232,792 | |
| Dutch East Indies | 24,516 | | 24,516 | 2,614,828 |
| Dutch West Indies | 354,910 | 2,610 | 357,520 | |
| England | 17,814,946 | 8,817,122 | 26,632,068 | |
| Scotland | 217,310 | 908,588 | 1,125,898 | |
| Ireland | 152,913 | | 152,913 | |
| Island of Guernsey, Jersey, &c. | 3,700 | | 3,700 | |
| Gibraltar | 417,729 | 11,104 | 428,833 | 33,765,220 |
| British East Indies | 189,218 | | 189,218 | |
| British West Indies | [illegible] | [illegible] | [illegible] | |
| British American colonies | 2,424,158 | 1,145,144 | 3,569,302 | |
| Other British possessions | 7,840 | | 7,840 | |
| Hanse Towns and ports of Germany | 1,022,423 | 1,413,119 | 2,435,542 | 2,435,542 |
| France on the Atlantic | 8,281,875 | 746,610 | 9,028,485 | |
| France on the Mediterranean | 836,905 | 77,186 | 914,091 | 10,548,369 |
| French West Indies | 541,347 | 64,446 | 605,793 | |
| Hayti | 1,194,458 | 49,052 | 1,243,510 | 1,243,510 |
| Spain on the Atlantic | 215,236 | 87,348 | 302,584 | |
| Spain on the Mediterranean | 105,447 | 81,417 | 186,864 | |
| Teneriffe and other Canaries | 14,567 | | 14,567 | 4,528,877 |
| Manilla and Philippine Islands | 20,906 | | 20,906 | |
| Cuba | 2,453,639 | 1,227,758 | 3,681,397 | |
| Other Spanish West Indies | 303,347 | 19,212 | 322,559 | |
| Portugal | 21,627 | 6,635 | 28,262 | |
| Madeira | 141,716 | 3,951 | 145,667 | 263,919 |
| Fayal and other Azores | 23,402 | | 23,402 | |
| Cape de Verd Islands | 64,188 | 2,400 | 66,588 | |
| Italy and Malta | 167,120 | 11,387 | 178,507 | 178,507 |
| Sicily | | 3,088 | 3,088 | 3,088 |
| Trieste and other Austrian ports | 160,099 | 39,812 | 199,911 | 199,911 |
| Turkey, Levant and Egypt | 64,722 | | 64,722 | 64,722 |
| China | 336,162 | | 336,162 | 336,162 |
| Mexico | 666,610 | 179,167 | 845,777 | 845,777 |
| Central Republic of America | 139,206 | | 139,206 | 139,206 |
| Honduras | 61,472 | 3,987 | 65,459 | 65,459 |
| Colombia | 400,223 | 6,634 | 406,857 | 406,857 |
| Brazil | 1,231,626 | 451 | 1,232,077 | 1,232,077 |
| Argentine Republic | 464,632 | | 464,632 | 464,632 |
| Cisplatine Republic | 3,325 | | 3,325 | 3,325 |
| Chili | 579,370 | | 579,370 | 579,370 |
| Peru | 7,126 | | 7,126 | 7,126 |
| South America, generally | 41,302 | | 41,302 | 41,302 |
| West Indies, generally | 448,845 | 107,601 | 556,446 | 556,446 |
| Europe, generally | 143,171 | 31,011 | 174,182 | 174,182 |
| Asia, generally | 42,838 | | 42,838 | 42,838 |
| Africa, generally | 236,592 | 20,830 | 257,422 | 257,422 |
| South Seas | 30,096 | | 30,096 | 30,096 |
| North west coast of America | 46,078 | | 46,078 | 46,078 |
| Total | 46,925,890 | 16,211,580 | 63,137,470 | 63,137,470 |

*Treasury department, Register's office, January* 14, 1833.

T. L. SMITH, *register.*

*Summary statement of the value of the exports of the growth, produce and manufacture, of the United States, during the year commencing on the 1st day of October, 1831, and ending on the 30th day of September, 1832.*

*The sea.*

Fisheries—

| | |
|---|---|
| Dried fish or cod fisheries | $749,909 |
| Pickled fish, or river fisheries, herring, shad, salmon, mackerel | 306,812 |
| Whale and other fish oil | 1,009,728 |
| Spermaceti oil | 38,161 |
| Whale bone | 186,595 |
| Spermaceti candles | 267,333 |
| | $2,558,538 |

*The forest.*

| | | |
|---|---|---|
| Skins and furs | | $691,909 |
| Ginseng | | 99,545 |
| Product of wood— | | |
| Staves, shingles, boards and hewn timber | $1,522,055 | |
| Other lumber | 188,608 | |
| Masts and spars | 73,368 | |
| Oak bark and other dye | 52,944 | |
| All manufactures of wood | 312,678 | |
| Naval st. tar, pitch, rosin & turpentine | 476,291 | |
| Ashes, pot and pearl | 930,398 | |
| | | 3,556,340 |
| | | $4,347,794 |



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*Agriculture.*

| | | |
|---|---|---|
| Product of animals— | | |
| Beef, tallow, hides, horned cattle | $774,087 | |
| Butter and cheese | 290,820 | |
| Pork, pickled, bacon, lard, live hogs | 1,928,196 | |
| Horses and mules | 164,034 | |
| Sheep | 22,385 | |
| | | 3,179,522 |
| Vegetable food— | | |
| Wheat | 93,500 | |
| Flour | 4,880,623 | |
| Indian corn | 278,740 | |
| Indian meal | 480,035 | |
| Rye meal | 75,392 | |
| Rye, oats & other small grain & pulse | 78,447 | |
| Biscuit or ship bread | 255,735 | |
| Potatoes | 42,077 | |
| Apples | 15,314 | |
| Rice | 2,152,631 | |
| | | 8,352,494 |
| | | 11,532,016 |
| Tobacco | | 5,999,769 |
| Cotton | | 31,724,682 |
| All other agricultural products— | | |
| Flax seed | | 123,036 |
| [illegible] | | 25,448 |
| Hops [illegible] | | [illegible] |

*Manufactures.*

[As on a preceding page, (248), we have already given a full list of all the items under this head, it does not seem worth while to insert them again, except to give the aggregates—as follows:]

| | | |
|---|---|---|
| Manufactures, enumerated | 4,213,566 | |
| not enumerated | 477,267 | |
| gold and silver coin | 1,410,941 | |
| Other articles | 353,181 | |
| | | 6,454,955 |
| | | $63,137,470 |

***A general statement exhibiting the quantity of American tonnage entered into and departing from the United States, from the 1st day of October, 1831, to the 30th day of September, 1832.***

[ABSTRACT.]

| FROM | *Entering Amer.* | *Departing Amer.* |
|---|---|---|
| Russia | 21,824 | 3,146 |
| Prussia | 268 | 179 |
| Sweden and Norway | 12,401 | 1,868 |
| Swedish West Indies | 2,058 | 4,651 |
| Denmark | 779 | 4,258 |
| Danish West Indies | 21,560 | 39,762 |
| Netherlands | 29,912 | 38,770 |
| Dutch East Indies | 5,084 | 7,456 |
| Dutch West Indies | 10,176 | 9,511 |
| England | 179,679 | 187,579 |
| Scotland | 4,565 | 3,932 |
| Ireland | 2,584 | 1,791 |
| Gibraltar | 5,666 | 14,989 |
| British East Indies | 7,249 | 5,916 |
| British West Indies | 61,408 | 66,769 |
| British American colonies | 74,001 | 65,056 |
| Newfoundland, &c. | 470 | 428 |
| Other British colonies | 167 | 240 |
| Hanse Towns and ports of Germany | 20,741 | 18,452 |
| France on the Atlantic | 71,680 | 79,330 |
| France on the Mediterranean | 13,207 | 16,486 |
| French West Indies | 20,578 | 26,677 |
| Spain on the Atlantic | 9,371 | 6,033 |
| Spain on the Mediterranean | 9,813 | 3,286 |
| Teneriffe and the other Canaries | 2,971 | 925 |
| Manilla and Philippine Islands | 2,343 | 1,289 |
| Cuba | 111,805 | 123,588 |
| Other Spanish West Indies | 26,741 | 9,343 |
| Portugal | 8,087 | 1,177 |
| Madeira | 1,958 | 4,623 |
| Fayal and the other Azores | 828 | 812 |
| Cape de Verd Islands | 2,430 | 2,603 |
| Other Portuguese African ports | 193 | - |
| Italy | 11,672 | 6,042 |
| Sicily | 3,491 | - |
| Trieste | 3,405 | 6,497 |
| Turkey | 7,356 | 4,805 |
| Hayti | 30,387 | 29,990 |
| Mexico | 25,459 | 24,111 |
| Central Republic of America | 5,286 | 4,389 |
| Colombia | 9,258 | 9,443 |
| Honduras | 1,736 | 2,677 |
| Brazil | 31,222 | 30,439 |
| Argentine Republic | 11,821 | 6,987 |
| Cisplatine Republic | 103 | 378 |
| Chili | 4,194 | 8,105 |
| Peru | 244 | 72 |
| South America, generally | 244 | 1,564 |
| Cape of Good Hope | 322 | 155 |
| China | 11,149 | 7,232 |
| Asia, generally | 2,153 | 6,520 |
| East Indies, generally | 297 | 1,342 |
| West Indies, generally | 1,950 | 12,879 |
| Europe, generally | 1,897 | 1,951 |
| Africa, generally | 4,896 | 4,987 |
| South Seas | 38,483 | 52,573 |
| North west coast of America | - | 782 |
| Total, | 949,622 | 974,865 |
| | *Entering* | *Departing* |
| British | 288,841 | 284,886 |
| French | 22,638 | 23,257 |
| Spanish | 26,942 | 29,066 |
| Portuguese | 267 | 501 |
| Italian | 1,248 | 1,405 |
| Dutch | 2,860 | 19,540 |
| Swedish | 9,784 | 8,468 |
| Danish | 6,146 | 5,162 |
| Russian | 1,592 | 1,592 |
| Austrian | 1,373 | 1,273 |
| Haytien | 269 | 269 |
| Mexican | 7,595 | 7,207 |
| Colombian | 888 | 269 |
| Brazilian | 244 | 244 |
| Total foreign, | 393,038 | 387,505 |
| Total American, | 949,622 | 974,865 |
| Grand total, | 1,342,660 | 1,362,370 |

OF THE FOREIGN TONNAGE.

The tonnage entering and departing are so nearly the same, that particulars of the one may serve nearly all useful purposes with regard to the other. We shall, therefore, mention from whence the *foreign* tonnage which entered arrived—to shew the course of our commerce and navigation.

*British*—Total entered, 288,841 tons, viz. from Swedish West Indies 46; Danish do. 279; England 110,387; Scotland 19,631; Ireland 11,147; Br. W. Indies 27,209; Br. Am. colonies 108,671; Newfoundland, &c. 1,335; Hanse Towns 2,477; France 447; Cuba 120; Portugal 306; Hayti 192; Mexico 1,471; Colombia 1,533; Honduras 825; Brazil 2,765.

*French*—total 22,638 tons, viz. from the Netherlands 228; France 13,572; French West Indies 8,282; Spanish West Indies 156; Hayti 400.

*Spanish*—total 26,942 tons, viz. from Danish West Indies 120; Hanse Towns 197; Spain 376; Cuba 26,056; other Spanish West Indies 193.

*Portuguese*—total 267 tons, viz. from Portugal 143; Madeira 124.

*Italian*—total 1,248 tons, viz. from Italy 243; Sicily 603; Mexico 174.

*Dutch*—total 2,860 tons, viz. from the Netherlands 1,976; Hanse Towns 608; Cuba 29; Turkey 247.

*Hanseatic*—total 22,351 tons, viz from the Netherlands 3,147; Hanse Towns 17,840; Cuba 444; other Spanish W. I. 138; Cape de Verds 150; Hayti 206; Mexico 217; Colombia 209.

*Swedish*—total 9,784 tons, viz. Sweden and Norway 7,279; Swedish W. Indies 381; England 262; Spain 954; Portugal 717; Fayal, &c. 191.

*Danish*—total 6,146 tons, viz. from Russia 240; Sweden 199; Denmark 149; Danish West Indies 1,750; England 139; Guernsey, &c. 162; British W. Indies 119; Hanse Towns 165; Spain 385; Cuba 1,486; other Spanish W. Indies 1,170; Colombia 57; Brazil 125.

*Russian*—total 1,592 tons, all from Russia.

*Austrian*—total 1,373 tons, viz. from Gibraltar 353; Trieste 1,020.

*Haytien*—total 269 from Hayti.

*Colombian*—total 888 tons, viz. from Colombia 708; Brazil 180.

*Brazillian*—total 244, from Brazil.

*Mexican*—total 7,595 tons, all from Mexico.

***Statistical view of the commerce of the United States, exhibiting the value of every description of imports from, and the value of every description of exports to, each foreign country; also, the tonnage of American and foreign vessels arriving from, and departing to, each foreign country, during the year ending on the 30th day of September, 1832.***

| | COMMERCE. | | | | NAVIGATION. | | | |
|---|---|---|---|---|---|---|---|---|
| | | Value of exports. | | | American tonnage. | | Foreign tonnage. | |
| COUNTRIES. | *Value of imports.* | *Domestic produce.* | *Foreign produce.* | *Total.* | *Entered into the U. S.* | *Departed from U. States.* | *Entered into the U. S.* | *Departed from U. States.* |
| Russia | $3,251,852 | $121,114 | $461,568 | $582,682 | 21,824 | 3,146 | 1,832 | 391 |
| Prussia | 27,927 | 11,116 | | 11,116 | 268 | 179 | | |

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| COUNTRIES. | COMMERCE. Value of imports. | Value of exports. Domestic produce. | Foreign produce. | Total. | NAVIGATION. American tonnage. Entered into the U. S. | Departed from U. States. | Foreign tonnage. Entered into the U. S. | Departed from U. States. |
|---|---|---|---|---|---|---|---|---|
| Sweden and Norway | $1,097,394 | $214,048 | $152,365 | $366,413 | 12,401 | 1,868 | 7,478 | 3,078 |
| Swedish West Indies | 53,410 | 141,249 | 7,478 | 148,727 | 2,058 | 4,651 | 427 | 644 |
| Denmark | 63,342 | 181,605 | 350,115 | 531,720 | 779 | 4,268 | 149 | 723 |
| Danish West Indies | 1,119,366 | 1,393,490 | 282,341 | 1,675,831 | 21,560 | 39,762 | 1,870 | 3,803 |
| Netherlands | 1,360,668 | 2,232,792 | 2,870,490 | 5,103,282 | 29,912 | 38,770 | 5,630 | 8,372 |
| Dutch W. Indies and Am. colonies | 328,832 | 357,520 | 46,644 | 404,164 | 10,176 | 9,511 | | 80 |
| Dutch East Indies | 668,974 | 24,516 | 503,504 | 528,020 | 5,084 | 7,456 | | 680 |
| England | 34,848,562 | 26,632,068 | 2,875,137 | 29,507,205 | 179,679 | 187,579 | 110,788 | 96,615 |
| Scotland | 1,580,812 | 1,125,898 | 20,864 | 1,146,762 | 4,565 | 3,932 | 19,631 | 9,410 |
| Ireland | 491,891 | 152,913 | 4,115 | 157,028 | 2,564 | 1,791 | 11,147 | |
| Guernsey, Jersey, &c. | 534 | 3,700 | | 3,700 | | | 162 | |
| Gibraltar | 279,858 | 428,833 | 185,074 | 613,907 | 5,666 | 14,989 | 353 | 431 |
| British East Indies | 2,538,938 | 189,218 | 339,235 | 528,453 | 7,249 | 5,916 | | |
| British West Indies | 1,422,237 | 1,655,448 | 33,828 | 1,689,276 | 61,408 | 66,769 | 27,328 | 19,357 |
| Newfoundland, &c. | | | | | 470 | 428 | 1,335 | 219 |
| British American colonies | 1,229,526 | 3,569,302 | 45,083 | 3,614,385 | 74,001 | 65,056 | 108,671 | 146,202 |
| Other British colonies | 2,551 | 7,840 | | 7,840 | 167 | 240 | | |
| Hanse Towns | 2,865,096 | 2,435,542 | 1,652,670 | 4,088,212 | 20,741 | 18,452 | 21,287 | 25,778 |
| France on the Atlantic | 10,931,983 | 9,028,485 | 1,536,771 | 10,565,256 | 71,680 | 79,330 | 11,934 | 12,769 |
| France on the Mediterranean | 1,243,775 | 914,091 | 1,140,376 | 2,054,467 | 13,207 | 16,486 | 2,313 | 3,638 |
| French W. Indies and Am. colonies | 578,857 | 605,793 | 19,182 | 624,975 | 20,578 | 26,677 | 8,282 | 4,448 |
| Other French African ports | | | | | | | | 316 |
| Hayti | 2,053,386 | 1,243,510 | 425,493 | 1,669,003 | 30,387 | 29,990 | 1,067 | 1,279 |
| Spain on the Atlantic | 677,483 | 302,584 | 44,681 | 347,265 | 9,371 | 6,033 | 819 | 2,093 |
| Spain on the Mediterranean | 740,701 | 186,864 | 1,054 | 187,918 | 9,813 | 3,286 | 896 | 1,808 |
| Teneriffe and the other Canaries | 154,837 | 14,567 | 7,851 | 22,418 | 2,971 | [illegible] | | |
| Manilla and Philippine islands | 332,230 | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | | |
| Cuba | [illegible] | 3,681,397 | 1,630,754 | 5,312,151 | 111,805 | 123,588 | 28,135 | 25,632 |
| Other Spanish West Indies | 1,889,182 | 322,559 | 72,552 | 395,111 | 26,741 | 9,343 | 1,657 | 717 |
| Portugal | 123,816 | 28,262 | 300 | 28,562 | 8,087 | 1,177 | 1,166 | 600 |
| Maderia | 228,318 | 145,667 | 929 | 146,596 | 1,958 | 4,623 | 124 | 124 |
| Fayal and the other Azores | 21,682 | 23,402 | 11,363 | 34,765 | 828 | 812 | 191 | |
| Cape de Verd Islands | 87,706 | 66,858 | 19,707 | 86,295 | 2,430 | 2,603 | 150 | 162 |
| Other Portuguese African ports | 23,742 | | | | 193 | | | |
| Italy | 1,619,795 | 178,507 | 509,056 | 687,563 | 11,672 | 6,042 | 243 | 732 |
| Sicily | 156,617 | 3,088 | | 3,088 | 3,491 | | 603 | 432 |
| Trieste and other Austr. Adr. ports | 362,027 | 199,911 | 936,775 | 1,136,686 | 3,405 | 6,497 | 1,020 | 1,521 |
| Turkey, Levant and Egypt | 923,629 | 64,722 | 681,886 | 746,608 | 7,356 | 4,805 | 247 | |
| Mexico | 4,293,954 | 845,777 | 2,621,764 | 3,467,541 | 25,459 | 24,111 | 9,457 | 9,364 |
| Central Republic of America | 288,316 | 139,206 | 196,101 | 335,307 | 5,286 | 4,389 | | 116 |
| Colombia | 1,439,182 | 406,857 | 710,167 | 1,117,024 | 9,258 | 9,443 | 2,507 | 269 |
| Honduras, Campeachy, &c. | 34,162 | 65,459 | 17,397 | 82,856 | 1,736 | 2,677 | 825 | 97 |
| Brazil | 3,890,845 | 1,232,077 | 822,717 | 2,054,794 | 31,222 | 30,439 | 3,314 | 356 |
| Argentine Republic | 1,560,171 | 464,632 | 458,408 | 923,040 | 11,821 | 6,987 | | |
| Cisplatine Republic | | 3,325 | | 3,325 | 103 | 378 | | |
| Chili | 504,623 | 579,370 | 641,749 | 1,221,119 | 4,194 | 8,105 | | |
| Peru | 720,098 | 7,126 | 10,834 | 17,960 | 244 | 72 | | |
| South America, generally | | 41,302 | | 41,302 | 244 | 1,564 | | |
| Cape of Good Hope | 12,015 | | | | 322 | 155 | | |
| China | 5,344,907 | 336,162 | 924,360 | 1,260,522 | 11,149 | 7,232 | | |
| Arabia | 24,025 | | | | | | | |
| Asia, generally | 111,180 | 42,838 | 469,489 | 512,327 | 2,153 | 6,520 | | |
| East Indies, generally | | | | | 297 | 1,342 | | |
| West Indies, generally | 12,740 | 556,446 | 6,508 | 562,954 | 1,950 | 12,879 | | 4,290 |
| Europe, generally | | 174,182 | 7,411 | 181,593 | 1,897 | 1,851 | | 622 |
| Africa, generally | 321,532 | 257,422 | 106,549 | 363,971 | 4,896 | 4,997 | | 247 |
| South seas | 15,175 | 30,096 | 12,838 | 42,934 | 38,483 | 52,573 | | |
| Sandwich islands | 920 | | | | | | | |
| Northwest coast of America | | 46,078 | 50,526 | 96,604 | | 782 | | |
| Uncertain ports | 5,028 | | | | | | | |
| Total | 101,029,266 | 63,137,470 | 24,039,473 | 87,176,943 | 949,622 | 974,865 | 393,038 | 387,505 |

*Treasury department, register's office, February* 12, 1833.
T. L. SMITH, *register.*

*Statement of the commerce of each state and territory, commencing on the* 1st *day of October*, 1831, *and ending on the* 30th *day of September*, 1832.

| STATES AND TERRITORIES. | VALUE OF IMPORTS. In American vessels. | In foreign vessels. | Total. | VALUE OF EXPORTS. Domestic produce. In American vessels. | In foreign vessels. | Total. | Foreign produce. In American vessels. | In foreign vessels. | Total. | Total value of domestic and foreign produce. |
|---|---|---|---|---|---|---|---|---|---|---|
| Maine | 988,043 | 135,283 | 1,123,326 | 783,974 | 123,312 | 907,286 | 73,531 | 626 | 74,157 | 981,443 |
| New Hampshire | 115,051 | 120 | 115,171 | 115,582 | | 115,582 | | | | 115,582 |
| Vermont | 214,672 | | 214,672 | 349,820 | | 349,820 | | | | 349,820 |
| Massachusetts | 17,670,184 | 448,716 | 18,118,900 | 4,981,130 | 375,505 | [illegible] | 7,162,311 | 174,822 | 7,337,133 | 11,993,768 |
| Rhode Island | 657,629 | 340 | 657,969 | 377,656 | | 377,656 | 156,803 | | 156,803 | [illegible] |
| Connecticut | 432,664 | 5,051 | 437,715 | 416,729 | 13,737 | 430,466 | | | | 430,466 |
| New York | 48,728,649 | 4,485,753 | 53,214,402 | 12,399,692 | 2,657,558 | 15,057,250 | 8,115,475 | 2,828,220 | 10,943,695 | 26,000,945 |
| New Jersey | 45,757 | 24,703 | 70,460 | 51,991 | 2,000 | 53,991 | 7,803 | | 7,803 | 61,794 |
| Pennsylvania | 9,960,114 | 718,244 | 10,678,358 | 1,775,254 | 233,737 | 2,008,991 | 1,162,650 | 344,425 | 1,507,075 | 3,516,066 |
| Delaware | 17,119 | 6,534 | 23,653 | 16,242 | | 16,242 | | | | 16,242 |
| Maryland | 4,138,242 | 491,061 | 4,629,303 | 2,377,893 | 637,980 | 3,015,873 | 1,381,427 | 102,618 | 1,484,045 | 4,499,918 |
| Dist. of Columbia | 172,517 | 15,530 | 188,047 | 1,013,621 | 132,145 | 1,146,066 | 8,158 | 250 | 8,408 | 1,154,474 |
| Virginia | 422,052 | 131,587 | 553,639 | 3,774,249 | 719,667 | 4,493,916 | 16,722 | 12 | 16,734 | 4,510,650 |
| North Carolina | 195,590 | 19,594 | 215,184 | 296,301 | 41,945 | 338,246 | 3,795 | | 3,795 | 342,041 |
| South Carolina | 597,953 | 615,772 | 1,213,725 | 4,321,141 | 3,364,692 | 7,685,833 | 13,330 | 53,568 | 66,898 | 7,752,731 |
| Georgia | 138,697 | 114,720 | 253,417 | 3,853,555 | 1,661,126 | 5,514,681 | 795 | 407 | 1,202 | 5,515,883 |
| Alabama | 245,408 | 61,437 | 306,845 | 1,372,365 | 1,361,189 | 2,733,554 | 2,833 | | 2,833 | 2,736,387 |
| Mississippi | | | | | | | | | | |
| Louisiana | 5,446,225 | 3,425,428 | 8,871,653 | 9,288,428 | 4,816,690 | 14,105,118 | 1,106,237 | 1,319,575 | 2,425,812 | 16,530,930 |
| Ohio | 11,224 | 1,168 | 12,392 | 12,576 | 45,818 | 58,394 | | | | 58,394 |
| Florida territory | 77,791 | 29,996 | 107,787 | 38,457 | 24,179 | 62,636 | 3,000 | 80 | 3,080 | 65,716 |
| Michigan territory | 22,648 | | 22,648 | 9,234 | | 9,234 | | | | 9,234 |
| Total dollars | 90,298,229 | 10,731,037 | 101,029,266 | 46,925,890 | 16,211,580 | 63,137,470 | 19,214,870 | 4,824,603 | 24,039,473 | 87,176,943 |

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NAVIGATION.

| STATES AND TERRITORIES. | American tonnage. Entered. | American tonnage. Departed. | Foreign tonnage. Entered. | Foreign tonnage. Departed. | Total Am. & foreign tonnage. Entered. | Total Am. & foreign tonnage. Departed. |
|---|---|---|---|---|---|---|
| Maine | 58,576 | 67,128 | 64,414 | 64,720 | 122,990 | 131,848 |
| New Hampshire | 7,744 | 4,777 | 250 | 250 | 7,994 | 5,027 |
| Vermont | 14,430 | 14,680 | | | 14,430 | 14,680 |
| Massachusetts | 213,608 | 204,239 | 22,906 | 25,676 | 236,514 | 229,915 |
| Rhode Island | 27,398 | 26,672 | 355 | 80 | 27,753 | 26,752 |
| Connecticut | 17,281 | 20,944 | 521 | 367 | 17,802 | 21,311 |
| New York | 329,842 | 242,749 | 116,481 | 101,967 | 446,323 | 344,716 |
| New Jersey | 1,732 | 782 | 572 | 800 | 2,304 | 1,582 |
| Pennsylvania | 64,268 | 46,726 | 17,671 | 14,131 | 81,939 | 60,857 |
| Delaware | 213 | 699 | 2,525 | 333 | 2,738 | 1,032 |
| Maryland | 51,360 | 49,380 | 20,957 | 15,648 | 72,317 | 65,028 |
| District of Columbia | 7,482 | 14,748 | 2,239 | 3,089 | 9,721 | 17,837 |
| Virginia | 19,925 | 50,783 | 16,968 | 19,383 | 36,893 | 70,166 |
| North Carolina | 18,126 | 26,272 | 4,536 | 3,412 | 22,662 | 29,684 |
| South Carolina | 19,995 | 47,893 | 32,974 | 41,836 | 52,969 | 89,729 |
| Georgia | 10,897 | 42,780 | 18,856 | 21,567 | 29,753 | 64,347 |
| Alabama | 10,700 | 18,764 | 11,915 | 12,384 | 22,615 | 31,148 |
| Mississippi | | | | | | |
| Louisiana | 68,637 | 88,236 | 56,942 | 59,620 | 125,579 | 147,856 |
| Ohio | 277 | 269 | 1,341 | 1,341 | 1,618 | 1,610 |
| Florida territory | 7,131 | 6,344 | 615 | 901 | 7,746 | 7,245 |
| Michigan territory | | | | | | |
| Total tons | 949,622 | 974,865 | 393,038 | 387,505 | 1,342,660 | 1,362,370 |

*Treasury department, register's office, February 14, 1833.*

T. L. SMITH, *register.*

*[illegible] the quantity of American and foreign tonnage entered into, and departed from, [illegible] year ending on the 30th day of September, 1832.*

| DISTRICTS. | American. Entered. | American. Departed. | Foreign. Entered. | Foreign. Departed. |
|---|---|---|---|---|
| Passamaquoddy | tons. 3,553 | 4,222 | 63,356 | 63,274 |
| Machias | 117 | 41 | 42 | |
| Frenchman's Bay | 582 | 270 | 414 | 578 |
| Penobscot | 1,921 | 1,599 | | |
| Waldoborough | 825 | 245 | | |
| Wiscasset | 483 | 567 | | |
| Bath | 8,319 | 10,616 | 39 | 39 |
| Portland | 39,975 | 43,858 | 563 | 829 |
| Kennebunk | 1,222 | 1,977 | | |
| Belfast | 1,488 | 3,163 | | |
| Saco | 91 | 577 | | |
| York | | | | |
| Portsmouth | 7,744 | 4,777 | 250 | 250 |
| Vermont | 14,430 | 14,680 | | |
| Newburyport | 6,964 | 6,618 | 68 | 68 |
| Ipswich | | | | |
| Gloucester | 3,633 | 4,904 | 60 | 160 |
| Salem | 16,357 | 20,482 | | |
| Marblehead | 1,977 | 1,316 | | |
| Boston | 136,369 | 125,751 | 21,442 | 22,427 |
| Plymouth | 2,393 | 882 | 44 | |
| Barnstable | 674 | 101 | | |
| Nantucket | 2,125 | 115 | | |
| Edgartown | 14,782 | 4,126 | | |
| New Bedford | 26,346 | 38,203 | 339 | 2,468 |
| Dighton | 1,788 | 1,741 | 933 | 553 |
| Newport | 7,208 | 5,232 | 174 | |
| Bristol | 7,621 | 10,500 | | |
| Providence | 12,569 | 10,940 | 181 | 80 |
| New London | 7,070 | 10,147 | 154 | |
| Middletown | 1,925 | 1,332 | 121 | 121 |
| New Haven | 7,678 | 8,738 | 107 | 107 |
| Fairfield | 608 | 727 | 139 | 139 |
| New York | 298,127 | 218,490 | 102,358 | 90,900 |
| Sag Harbor | 283 | | | |
| Champlain | 19,878 | 19,960 | 320 | 320 |
| Oswego | 337 | 337 | 868 | 868 |
| Sackett's Harbor | 6,350 | 1,307 | | |
| Genessee | 3,811 | 1,294 | 2,442 | 832 |
| Niagara | 253 | 160 | 9,047 | 9,047 |
| [illegible] | 803 | 1,201 | 1,446 | |
| Perth Amboy | 1,540 | 782 | 572 | 800 |
| Little Egg Harbor | 225 | | | |
| Bridgetown | 125 | | | |
| Great Egg Harbor | 42 | | | |
| Philadelphia | 64,268 | 46,726 | 17,671 | 14,131 |
| Delaware | 213 | 699 | 2,525 | 333 |
| Baltimore | 50,936 | 48,933 | 20,957 | 15,648 |
| Snow Hill | 424 | 360 | | |
| Vienna | | 87 | | |
| Georgetown, D. C. | 1,071 | 3,075 | | |
| Alexandria | 6,411 | 11,673 | 2,239 | 3,089 |
| Norfolk, | 10,639 | 17,384 | 13,209 | 12,778 |
| Petersburg | 3,520 | 6,519 | | 545 |
| Richmond | 3,513 | 23,905 | 3,759 | 6,060 |
| Yorktown | 87 | | | |
| East River | 466 | 231 | | |
| Tappahannock | 485 | 1,160 | | |
| Folly Landing | 696 | 716 | | |
| Cherry Stone | 519 | 868 | | |
| Wilmington | 10,144 | 14,464 | 4,298 | 2,989 |
| Newbern | 2,102 | 2,844 | 80 | 80 |
| Washington | 1,099 | 1,224 | 158 | 158 |
| Edenton | 1,227 | 2,256 | | |
| Camden | 2,618 | 3,508 | | |
| Plymouth | 627 | 1,521 | | 100 |
| Beaufort | 168 | 99 | | 85 |
| Ocracoke | 141 | 356 | | |
| Charleston | 19,995 | 47,893 | 32,974 | 41,836 |
| Savannah | 10,794 | 42,157 | 18,412 | 21,035 |
| Brunswick | 103 | 623 | 444 | 532 |
| Pensacola | 1,290 | 1,878 | | |
| St. John's | 205 | | | |
| Apalachicola | 664 | | | |
| Key West | 4,972 | 4,466 | 615 | 901 |
| Mobile | 10,700 | 18,764 | 11,915 | 12,364 |
| Mississippi | 68,637 | 88,236 | 56,942 | 59,620 |
| Cuyahoga | 272 | 269 | 1,341 | 1,341 |
| Sandusky | 5 | | | |
| Total | 949,622 | 974,865 | 393,038 | 387,505 |

*Treasury department, registers' office, December 31, 1832.*

T. L. SMITH, *register.*

*Abstract of the tonnage of the several districts of the United States on the last day of December, 1831.*

| DISTRICTS. | Registered. Permanent. | Registered. Temporary. | Enrolled and licenced. Permanent. | Enrolled and licenced. Temporary. | Licensed under 20 tons. Coasting trade. | Licensed under 20 tons. Cod fishery. | Aggregate of each dist. |
|---|---|---|---|---|---|---|---|
| Passamaquoddy, Me. | 489 40 | 5,462 75 | 3,613 49 | - | | 39 11 | 9,604 80 |
| Machias | 137 46 | 57 49 | 3,794 22 | - | 13 12 | 61 49 | 4,063 83 |
| Frenchman's Bay | 270 32 | 649 87 | 4,179 84 | - | 61 56 | 118 64 | 5,280 38 |
| Penobscot | 2,304 60 | 378 13 | 16,698 40 | - | 379 68 | 238 50 | 19,999 41 |
| Belfast | 2,836 21 | 1,250 86 | 11,492 58 | - | 36 03 | 50 54 | 15,666 32 |
| Waldoboro' | 2,168 88 | 794 54 | 18,455 07 | - | 163 46 | 827 71 | 22,409 76 |
| Wiscasset | 1,435 36 | 418 26 | 5,073 73 | - | | | 6,927 40 |
| Bath | 14,233 71 | 2,518 76 | 9,268 00 | - | 39 17 | 177 48 | 26,237 22 |
| Portland | 27,051 06 | 2,547 06 | 12,848 34 | - | 173 71 | 224 71 | 42,844 93 |
| Saco | 1,123 23 | | 2,209 91 | - | 137 81 | | 3,471 05 |
| Kennebunk | 3,154 63 | 470 47 | 2,041 53 | - | | 16 14 | 5,682 82 |
| York | | | 860 15 | - | | 19 18 | 879 33 |
| Portsmouth, N. H. | 8,304 00 | 486 36 | 5,789 44 | - | 35 89 | 94 22 | 14,700 01 |
| Newburyport, Mass. | 8,847 39 | 1,640 26 | 7,172 23 | - | | | 17,659 88 |
| Ipswich | | | 1,567 31 | - | | | 1,567 31 |
| Gloucester | 2,694 17 | 67 84 | 9,583 91 | - | 31 38 | 461 34 | 12,838 74 |
| Salem | 18,473 94 | 584 90 | 6,480 55 | - | | | 25,539 49 |
| Marblehead | 1,309 31 | | 5,605 50 | - | | | 6,914 81 |

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| DISTRICTS. | Registered. | | Enrolled and licensed. | | Licensed under 20 tons. | | Aggregate |
|---|---|---|---|---|---|---|---|
| | Permanent. | Temporary. | Permanent. | Temporary. | Coasting trade. | Cod fishery. | of each dist. |
| Boston | 91,075 10 | 8,191 54 | 38,768 18 | | 42 08 | 97 30 | 138,174 25 |
| Plymouth | 9,940 44 | | 7,858 55 | | 21 63 | 55 31 | 17,876 03 |
| Dighton | 645 17 | | 3,210 45 | | | 43 80 | 3,899 47 |
| New Bedford | 56,018 58 | 595 93 | 7,258 29 | | 38 05 | 138 46 | 64,049 41 |
| Barnstable | 2,274 63 | 117 58 | 24,315 19 | | 150 55 | | 26,857 93 |
| Edgartown | 1,312 34 | 465 39 | 660 37 | | | 182 42 | 2,620 57 |
| Nantucket | 20,889 10 | 89 74 | 3,472 25 | 179 41 | 40 52 | 14 18 | 24,678 30 |
| Providence, R. I. | 12,905 19 | 384 12 | 4,314 86 | | 23 78 | | 16,928 05 |
| Bristol | 7,167 68 | | 2,153 94 | | 46 49 | | 9,368 21 |
| Newport | 4,679 23 | 83 72 | 2,758 88 | | 252 56 | 92 84 | 7,867 38 |
| Middletown, Conn. | 1,730 69 | 191 32 | 6,309 09 | 149 89 | 182 48 | | 8,556 57 |
| New London | 10,835 86 | 1,141 71 | 5,184 49 | | 124 20 | 579 59 | 17,866 00 |
| New Haven | 2,698 47 | | 3,755 05 | | 205 92 | 32 51 | 6,692 05 |
| Fairfield | 291 27 | 174 91 | 7,661 39 | | 108 11 | | 8,235 73 |
| Vermont, Vt. | 877 38 | | | | | | 877 38 |
| Champlain, N. Y. | 2,417 38 | | | | | | 2,417 38 |
| Sackett's Harbor | | | 1,379 11 | | | | 1,379 11 |
| Oswego | 144 31 | | 731 16 | | | | 875 47 |
| Niagara | | | | | | | |
| Genessee | | | 420 44 | | | | 420 44 |
| Oswegatchie | | | 209 81 | | | | 209 81 |
| Buffalo Creek | | | | | | | |
| Sag Harbor | 5,913 55 | | 2,849 17 | | 190 69 | 55 87 | 8,939 38 |
| New York | 104,439 22 | 18,018 70 | 156,049 45 | | 7,803 75 | 197 37 | 286,438 59 |
| Cape Vincent | | | 165 23 | | | | 165 23 |
| Perth Amboy, N. J. | 981 32 | 104 10 | 6,244 21 | | 407 57 | | 7,737 95 |
| Bridgetown | 31 37 | | 10,249 38 | | 439 47 | | 10,720 27 |
| Burlington | | | 2,726 40 | | | | 2,726 40 |
| Little Egg Harbor | | | 2,140 11 | | 246 74 | | 2,386 85 |
| Great Egg Harbor | | 143 90 | 8,502 63 | | 91 21 | | [illegible] |
| Philadelphia, Pa. | [illegible] 37 | 4,[illegible]73 42 | 27,[illegible] | | 1,430 44 | | 29,968 30 |
| Presque Isle | | | 550 87 | | | | 550 87 |
| Wilmington, Del. | | 99 83 | 13,119 22 | 79 10 | 253 77 | | 13,552 02 |
| Baltimore, Md. | 22,334 66 | 2,961 30 | 17,575 60 | | 392 08 | | 43,263 69 |
| Oxford | | | 9,111 60 | | 107 10 | | 9,218 70 |
| Vienna | 606 44 | 57 06 | 10,056 05 | | 828 08 | | 11,547 63 |
| Snow Hill | | | 4,176 91 | | 194 01 | | 4,370 92 |
| Annapolis | | | 3,140 57 | | 332 20 | | 3,472 77 |
| St. Mary's | | | 1,984 16 | | 54 60 | | 2,038 76 |
| Georgetown, D. C. | 475 49 | 880 40 | 4,015 28 | | 27 12 | | 5,398 34 |
| Alexandria | 3,045 63 | 1,670 61 | 4,226 87 | | 479 61 | | 9,422 82 |
| Norfolk, Va. | 1,704 29 | 2,876 93 | 7,313 08 | | 447 55 | | 12,341 90 |
| Petersburg | 1,686 43 | 947 48 | 1,507 70 | 256 35 | 107 68 | | 4,505 74 |
| Richmond | 866 76 | 1,033 43 | 1,866 85 | | 208 44 | | 3,975 58 |
| Yorktown | 87 55 | 48 06 | 1,330 08 | | | | 1,465 69 |
| East River | 753 33 | | 2,717 27 | | 256 84 | | 3,727 49 |
| Tappahannock | 293 37 | 1,343 46 | 4,433 26 | | 295 44 | | 6,365 58 |
| Polly Landing | 433 33 | | 1,728 79 | | 968 37 | | 3,130 54 |
| Cherrystone | 325 51 | | 1,315 25 | | 189 30 | | 1,830 11 |
| Wilmington, N. C. | 1,765 59 | 6,930 40 | 483 67 | | 39 10 | | 9,218 81 |
| Newbern | 783 41 | 147 83 | 1,469 26 | | 281 43 | | 2,682 03 |
| Washington | 375 21 | 811 66 | 757 20 | | 619 78 | | 2,563 90 |
| Edenton | 147 27 | 1,081 84 | 2,268 38 | | 1,460 08 | | 4,957 62 |
| Camden | 1,666 64 | 891 12 | 2,044 08 | | 462 10 | | 5,063 94 |
| Beaufort | 48 77 | 481 18 | 576 76 | | 281 90 | | 1,388 71 |
| Plymouth | 203 59 | 114 47 | 544 65 | | | | 862 76 |
| Ocracoke | 151 54 | 676 57 | 571 64 | | | | 1,399 80 |
| Charleston, S. C. | 2,446 14 | 3,080 92 | 5,425 68 | 1,791 47 | 634 41 | | 13,008 72 |
| Georgetown | | 275 77 | 1,558 12 | | | | 1,833 89 |
| Beaufort | | | | | | | |
| Savannah, Ga. | 291 59 | 4,183 10 | 1,159 33 | | | | 5,634 07 |
| Sunbury | | | | | | | |
| Hardwick | | | | | | | |
| Brunswick | | 424 53 | 433,42 | | 57 30 | | 915 30 |
| St. Mary's | | | 423 73 | | 101 83 | | 525 61 |
| Miami, Ohio | | | | | | | |
| Cuyahoga | 66 80 | 60 00 | 1,327 18 | | | | 1,454 03 |
| Sandusky | | | 241 92 | | 46 69 | | 288 66 |
| Detroit, Mich. | | | 1,202 50 | | | | 1,202 50 |
| Michilimackinac | | | | | | | |
| Mobile, Ala. | 656 94 | 1,480 57 | 3,496 49 | | 427 19 | | 6,061 29 |
| Blakely | | | | | | | |
| Pearl River, Miss. | | | 835 64 | | 94 80 | | 930 49 |
| New Orleans, La. | 7,841 51 | 8,567 06 | 37,849 06 | | 1,149 74 | | 55,407 42 |
| Teche | | | | | | | |
| Pensacola, Flo. | | 119 02 | 694 36 | | 300 40 | | 1,113 78 |
| St. Augustine | | | 463 37 | | | | 463 37 |
| St. Marks | | | | | | | |
| Key West | 192 51 | 235 87 | 194 94 | 126 86 | 59 17 | | 808 75 |
| | 526,974 12 | 93,477 80 | 617,511 22 | 2,506 23 | 23,637 56 | 3,739 26 | 1,267,846 29 |

*Recapitulation of the tonnage of the U. States for the year* 1831.

| REGISTERED TONNAGE. | | Tons. 95ths. |
|---|---|---|
| The registered vessels employed in foreign trade at the close of the year 1831 | | 620,451 92 |
| ENROLLED AND LICENSED TONNAGE. | | |
| The enrolled vessels employed in the coasting trade at the close of the year 1831 | 516,086 18 | |
| The licensed vessels under 20 tons do. | 23,637 56 | |
| | | 539,723 74 |
| FISHING VESSELS. | | |
| The enrolled vessels employed in the cod fishery | 57,238 55 | |
| The enrolled vessels employed in the mackerel fishery | 46,210 80 | |
| Do. do. whale fishery | 481 82 | |
| The licensed under 20 tons employed in the cod fishery | 3,739 26 | |
| | | 107,670 53 |
| Total tons | | 1,267,846 29 |
| The registered tonnage employed, other than in the whale fishery, during the year 1831 | | 538,136 13 |
| Employed in the whale fishery | | 82,315 79 |
| As above | | 620,451 92 |

*The general statement of tonnage accounts, showing the comparative amount of tonnage, from the 31st of Decemr, 1830, to the 31st December, 1831, inclusive.*

**Dr.**

| | Registered tonnage. | Enrolled tonnage. | Licensed tonnage. | Aggregate tonnage. |
|---|---|---|---|---|
| | Tons—95ths. | | | |
| 1831. | | | | |
| To amount of tonnage sold to foreigners, in the year 1831 | 9,750 05 | . | . | 9,750 05 |
| To amount of tonnage lost at sea, in the year 1831 | 17,446 38 | 6,361 83 | . | 23,808 26 |
| To amount of tonnage condemned as unseaworthy in the year 1831 | 7,288 20 | 1,571 10 | . | 8,859 30 |
| To this difference, which it is presumed, arises from the transfer of enrolled vessels to the account of registered tonnage | . | 3,738 67 | . | 3,738 67 |
| Dec. 31. | | | | |
| To balance as appears by general statement of tonnage, marked A | 620,451 92 | 620,017 45 | 27,376 82 | 1,267,846 29 |
| | 654,936 60 | 631,689 15 | 27,376 82 | 1,314,002 62 |

**Cr.**

| | Registered tonnage. | Enrolled tonnage. | Licensed tonnage. | Aggregate tonnage. |
|---|---|---|---|---|
| | Tons—95ths. | | | |
| 1830, Dec. 31. | | | | |
| By balance per statement renered for the year 1830 | 576,475 33 | 591,447 30 | 23,853 75 | 1,191,776 43 |
| 1831, Dec. 31 | | | | |
| By amount of tonnage built, rgistered, enrolled, and licensed, durin the year 1831 | 45,720 83 | 40,241 80 | . | 85,962 68 |
| By this difference, being an icrease of the registered tonnage | 32,740 39 | . | . | 32,740 39 |
| By this difference, being an icrease of the licensed tonnage, under 9 tons | . | . | 3,523 07 | 3,523 07 |
| | 654,936 60 | 631,689 15 | 27,376 82 | 1,314,002 62 |

Note.—*The increase of registered tonnage is shown as follows:*

| | Registered vessels. Ships. | Brigs. | Schr's. | Sloops. | Steam boats. | Registered tonnage. Tons.95ths. |
|---|---|---|---|---|---|---|
| Built during the year 1831 | 66 | 72 | 45 | 7 | 4 | 45,720 83 |
| | 66 | 72 | 45 | 7 | 4 | 45,720 83 |
| Sold to foreigners in the year 1831 | 9 | 21 | 31 | 7 | . | 9,750 05 |
| Lost at sea in the year 1831 | 9 | 53 | 48 | 3 | . | 17,446 38 |
| Condemned as unseaworthy | 7 | 23 | 5 | 2 | . | 7,288 20 |
| The difference in favor of increased registered tonnage is | 41 | . | . | . | 4 | 11,236 20 |
| | 66 | 72 | 45 | 7 | 4 | 45,720 83 |
| The difference in the enrolled tonnage brought down | | | | | | 3,738 67 |
| The actual increase of tonnage appears to be | | | | | | 76,069 81 |
| | | | | | | 79,808 53 |

Note.—*The increase f the enrolled and licensed tonnage is shown as follows:*

| | Enrolled vessels. Ships. | Brigs. | Schr's. | Sloops. | Steam boats. | Enrolled tonnage. Tons.95ths. |
|---|---|---|---|---|---|---|
| Built during the year 1831 | 6 | 23 | 371 | 87 | 30 | 40,241 80 |
| | 6 | 23 | 371 | 87 | 30 | 40,241 80 |
| Sold to foreigners in the year 831 | | | | | | |
| Lost at sea in the year 1831 | 1 | 4 | 61 | 17 | . | 6,361 83 |
| Condemned as unseaworthy o. | . | . | 14 | 16 | . | 1,571 10 |
| The difference in favor of inreased enrolled tonnage is | 5 | 19 | 296 | 54 | 30 | 32,308 82 |
| | 6 | 23 | 371 | 87 | 30 | 40,241 80 |
| Difference in favor of new regstered vessels brought over | | | | | | 11,236 20 |
| Difference in favor of new enrdled vessels above, brought down | | | | | | 32,308 82 |
| Difference in favor of new regitered tonnage do. | | | | | | 32,740 39 |
| Difference in favor of new liceed tonnage under 20 tons do. | | | | | | 3,523 07 |
| | | | | | | 79,808 53 |

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*Recapitulation of the tonnage of the U. States for the year* 1831.

| | | *Tons 95ths.* |
|---|---|---|
| The aggregate amount of the tonnage of the United States on the 31st of Dec. 1831, is stated at | | 1,267,846 29 |
| Whereof—permanent registered tonnage | 526,974 12 | |
| temporary do. do | 93,477 80 | |
| Total registered tonnage | | 620,451 92 |
| Permanent enrolled and licensed tonnage | 617,511 22 | |
| Temporary do. do. | 2,506 23 | |
| Total enrolled and licensed tonnage | | 620,017 45 |
| Licensed vessels under 20 tons employed in the coasting trade | 23,637 56 | |
| Do. do. do. cod fishery | 3,739 26 | |
| Total licensed tonnage under 20 tons | | 27,376 82 |
| Total | | 1,267,846 29 |

| | |
|---|---|
| Of enrolled and licensed tonnage, there were employed in the coasting trade | 516,086 18 |
| Do. do. do. whale fishery | 481 82 |
| Do. do. do. cod fishery | 57,238 55 |
| Do. do. do. mackarel fishery | 46,210 80 |
| As above | 620,017 45 |

Of the enrolled tonnage employed in the coasting trade, amounting, as above stated, to 620,017 45, there were employed in steam navigation 68,568 36 tons.

*Treasury department, register's office, 14th January,* 1833.

T. L. SMITH, *register.*

*A comparative view of the registered, enrolled and licensed tonnage of the United States, from* 1815 *to* 1831, *inclusive.*

| YEARS. | *Registered tonnage.* | *Enrolled and licensed tonnage.* | *Total tonnage.* |
|---|---|---|---|
| 1815 | 854,294 74 | 513,833 04 | 1,368,127 78 |
| 1816 | 800,759 63 | 571,458 85 | 1,372,218 53 |
| 1817 | 809,724 70 | 590,186 66 | 1,399,911 41 |
| 1818 | 606,088 64 | 609,095 51 | 1,225,184 20 |
| 1819 | 612,930 44 | 647,821 17 | 1,260,751 61 |
| 1820 | 619,047 53 | 661,118 66 | 1,280,166 24 |
| 1821 | 619,096 40 | 679,062 30 | 1,298,958 70 |
| 1822 | 628,150 41 | 696,548 71 | 1,324,699 17 |
| 1823 | 639,920 76 | 696,644 87 | 1,336,565 68 |
| 1824 | 669,972 60 | 719,190 37 | 1,389,163 02 |
| 1825 | 700,787 08 | 722,323 69 | 1,423,111 77 |
| 1826 | 737,978 15 | 796,212 68 | 1,534,190 83 |
| 1827 | 747,170 44 | 873,437 34 | 1,620,607 78 |
| 1828 | 812,619 37 | 928,772 50 | 1,741,391 87 |
| 1829 | 650,142 88 | 610,654 88 | 1,260,977 81 |
| 1830 | 576,475 33 | 615,301 10 | 1,191,776 43 |
| 1831 | 620,451 92 | 647,394 32 | 1,267,846 29 |

*Treasury department, register's office, 14th January,* 1833.

T. L. SMITH, *register.*

## EDITORIAL AND MISCELLANEOUS.

☞The editor of the Philadelphia "Commercial Herald" finds fault with us for not having rendered "credit" to that paper for the large table concerning the exchanges of the bank of the United States, inserted in the REGISTER of the 1st inst. We heartily reciprocate the respectful terms in which the "Herald" prefers this complaint—but if the editor had read the remarks with which we introduced the article, he would have seen that the table was furnished to us in *manuscript*—for we said, "perhaps, it has already been published; though we do not recollect to have seen it before." And besides, we assumed no "credit" for giving this *public document*—not believing that any may be claimed, in similar cases.

A recurrence to this subject presents an opportunity briefly to say—that we have not obtained a statement of the exchanges of the bank of the United States previous to "the abominable and oppressive tariff years"—as it was hoped that we should; for the good reason, perhaps, that previous to 1823-4 the exchanges of the bank were not recorded as they now are, because of the smallness of their amount. We have, however, been furnished with the following solitary items:

| | | |
|---|---|---|
| In May 1820, the bank and its branches had domestic bills on hand to the amount of | | $1,896,000 |
| In May 1821 | | 1,748,000 |
| 1822 | | 2,900,000 |
| 1833 | | 23,147,000 |
| Purchased in Philadelphia— | May 1820 | 46,000 |
| | May 1821 | 60,000 |
| | May 1822 | 57,000 |
| | May 1833 | 1,835,000 |

These simple facts shew—not only that the bank, under its present administration, has mightily extended its exchanges, and thereby supplied the public with a currency so nearly "uniform," that the average difference on *all* its exchanges is only one-eleventh of one per cent. as shewn in the table above alluded to; but also demonstrates the greatly increased business of the people of the United States—since the *agriculture* and *commerce* of the country were to have been destroyed by the protection of *domestic manufactures!*

We shall revert to these facts on some future occasion.

In a subsequent page will be found a NEW YORK project for a *new* bank of the United States.

☞The explosion of the steamboat Lioness, on the Red River, by *gunpowder*, is one of the most awful of the many calamities which have happened on the western waters, and will cause more than general regret, as well because of the number of lives lost, as on account of an individual killed—JOSIAH S. JOHNSTON, the late distinguished senator of the United States from Louisiana; for he was not only well known to the public as an able statesman and one of the most useful members of the senate, but esteemed and beloved by thousands of persons who had had opportunities of making a personal acquaintance with him. He was a gentleman of rare accomplishments—generous, and faithful, and kind, of very courteous manners, and possessed of the most liberal feelings: a fast friend, and an honorable opponent. His loss will not be easily supplied—in the councils of his country; never, in the hearts of his immediate connexions.

We give an account of this horrible affair in page 260. How the fire reached the gunpowder (of which it is said there were sixty casks on board), is unknown; and the blow was so instant and astounding, that many more must have perished but for the narrowness of the river. Those who might, perhaps, have explained the immediate cause of the disaster, were all killed.

This is not the first explosion of a *steamboat* by *gunpowder*—but may, possibly, lead to the passage of laws to prevent other calamities of the kind. These boats ought not to be permitted to carry gunpowder, except on giving public notice that they *are* transporting it; and persons who *conceal* the fact that gunpowder is shipped in a steam boat—ought, on a simple proof of the fact, to be sent to the penitentiary for life.

Mr. Johnston was a native of Connecticut, but taken in early infancy by his father to Kentucky, where he was educated. He emigrated to Louisiana in 1804 or 1805, and served in the first territorial legislature, and was afterwards appointed a judge, twice elected a representative in congress—and he was twice, if not three times, elected a senator of the United States.

The New Orleans Argus, speaking of him says—We have not the time to enumerate important measures connected with the prosperity of this state, of which he was either the promoter, or the ardent and efficient supporter. It is less necessary; for his public services are known to all. Those who only knew him as a public man will *regret* his loss. Those who knew him intimately will *mourn* it. It will be long again before they can meet with the same warm heart and cool head—the same absence of, and contempt for, profession and pretence; and the same ready performance of all the duties which friendship imposed.

☞The great and very important question concerning slavery in the British West Indies, seems about to be decided. We insert two or three brief papers on this subject—one of them, an outline of the plan of the ministry. We incline to believe that this plan is impracticable—but it is manifest that a strong, and, most probably, successful effort will be made for the abolition of slavery, at any cost and every hazard! The abolitionists in England would seem to know but little of the real state of things in the West Indies—for a general and prompt emancipation of the slaves, even if admitted right in itself, would probably overwhelm both the white and colored population in one common ruin—unless means shall be provided for withdrawing all white persons from the islands, except those who may be stationed in them for the preservation of order and enforcement of the laws. A mixed body of free whites and free blacks

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cannot be maintained, because of existing prejudices, and the greater numbers of the latter. We have a deep interest in these proceedings, and on several accounts; and, looking at them in *any* light presented, we find them encompassed by doubts and difficulties.

Treaty with France. We have an official translation of a report made to the French chamber of deputies, concerning the treaty concluded at Paris on the 4th of July 1831, see page 263.

It will be seen that the 2nd day of *February* 1832 is stated to be the time when this treaty was "ratified at Washington." We desire to understand how this happened—that certain apparently strange things may be reconciled.

We shall recapitulate the facts:

1. The treaty, concluded at Paris in July 1831, was to be ratified "and the ratifications *shall* be exchanged at Washington, in the space of eight months, or sooner, if possible."

2. The treaty, contains two points only—an agreement to pay 25 millions of francs, in six annual instalments—the first "to be paid at the expiration of one year next following the exchange of the ratifications;" and a stipulation that the duties payable on French wines shall be reduced.

3. The president of the United States, in his message of Dec. 1831, said that the treaty would require "legislative acts" having the concurrence of both houses [of congress] before it can be carried into effect.

Now the "legislative acts" referred to were not laws until the 14th July 1832; and, on the same date, the president issued his proclamation saying that "the ratifications were *this day* exchanged, at the city of Washington."

It would, then, appear—that there has been *two* "exchanges of ratifications"—the one on the 2nd of *February*, and the other on the 14th *July*: the first four months *before* the passage of the law without which the treaty could not be "carried into effect."

"We give the following from the Richmond Enquirer, though *we* do not understand what are the "new relations" spoken of:

We understand, that in consequence of the new state of our relations with France, arising from the protested draft, &c. it has been deemed advisable by the president to despatch Mr. Livingston immediately to France. It is impossible yet to say how far the state of the question with France may not affect our relations also with Naples. It is said that the president was desirous of nominating Mr. Livingston to the last senate—but that he considered the condition of our domestic concerns at that time rendered any change in the treasury and state departments inexpedient. In consequence of Mr. L's new appointment, it has been seen that Mr. McLane has been transferred to the state department, and Mr. Duane has been appointed to the treasury.

It is also said, that no information has been received from Great Britain as to the opening of the negotiation—and that hence no appointment is *forthwith* made to London."

The president's visit. During his stay in Baltimore, president *Jackson* had an interview with Black Hawk, and the other Indians—who arrived here on the same day that he did. The following account of what was said on that occasion is copied from the "Republican." The president said—

*My children*—When I saw you in Washington, I told you that you had behaved very badly, in raising the tomahawk against the white people, and killing men, women and children upon the frontier. Your conduct last year compelled me to send my warriors against you, and your people were defeated, with great loss, and your men surrendered, to be kept until I should be satisfied, that you would not try to do any more injury. I told you I would inquire whether your people wished you should return, and whether, if you did return, there would be any danger to the frontier. Gen. Clark and gen. Atkinson, whom you know, have informed me that Sheckak, your principal chief, and the rest of your people are anxious you should return, and Ke-o-kuk has asked me to send you back. Your chiefs have pledged themselves for your good conduct, and I have given directions, that you should be taken to your own country.

Maj. Garland, who is with you, will conduct you through some of our towns. You will see the strength of the white people. You will see, that our young men are as numerous, as the leaves in the woods. What can you do against us? You may kill a few women and children, but such a force would be soon sent against you, as would destroy your whole tribe. Let the red men hunt and take care of their families, but I hope they will not again raise their hands against their white brethren. We do not wish to injure you. We desire your prosperity and improvement. But if you again plunge your knives into the breasts of our people, I shall send a force, which will severely punish you for all your cruelties.

When your go back, listen to the councils of Ke-o-kuk and the other friendly chiefs. Bury the tomahawk, and live in peace with the frontiers. And I pray the Great Spirit to give you a smooth path and fair sky to return.

To this the prophet and the other answered.

*My Father*—My ears are open to your words. I am glad to hear them. I am glad to go back to my people. I want to see my family. I did not behave well last summer. I ought not to have taken up the tomahawk. But my people have suffered a great deal. When I get back, I will remember your words. I won't go to war again. I will live in peace. I shall hold you by the hand.

The president, as before stated left Baltimore in the steamboat Kentucky—and the "Gazette" says—"A little incident occurred at the time of the departure of the boats, which shows that even during the present animated opposition between the two lines, all other feelings were made to yield to the desire of showing respect to the chief magistrate of the nation. The position of the boats, as lying at the wharf, is such that the Charles Carroll, belonging to the Union Line, has the advantage in starting; but captain Chaytor, her commander, with the urbanity and prompt sense of propriety which characterise him, on this occasion waved his privilege, and permitted the Kentucky to take the precedence. The act, and the manner in which it was performed, excited warm feelings of approbation among the crowd of spectators who were assembled on the wharf to witness the departure of the president."

Immense crowds of persons attended to get a sight of Black Hawk and his companions. So great was the pressure, that it was thought necessary to remove them to fort McHenry; previous to which, however, they had been conveyed in carriages, through the principal streets of the city. They left us for Philadelphia on Monday last.

The president's receptions at Philadelphia and New York were got up with much zeal, and very considerable pomp—and great numbers of persons attended to pay their respects to him. We have laid aside the papers to give a brief narrative of the proceedings had—but cannot pretend to go into the details.

We certainly wish, and as heartily as any person, that a president of the United States, or *the* president, may ever be treated with all courtesy and respect—for in doing that, the people show a proper respect for themselves; but many things happened in the famous tour of Mr. *Monroe* which every plain republican regretted, after the excitement had passed away; and circumstances are now occurring, which, perhaps, even the chief actors in them will not be pleased with, hereafter. Many little incidents, harmless in themselves and of the most trifling character, are rendered supremely ridiculous because of the *solemn* manner in which they are stated. The court-newspapers in France, when the "glory" of the Bourbons was at its height, (*Frenchmen being all slaves*), were hardly more offensive than certain which might be named on the present occasion—for if the *king* laughed or coughed, or took a pinch of snuff, a loyal record was made of it—and the birth of a son to Louis the 16th, gave rise to a proceeding on the part of many *ladies* of Paris, which, for its *delicacy*, seem about to be *excelled* by some of the male bipeds of the United States. What the former only referred to by its color, the latter seem almost ready to—take, "whole."

Mr. Webster. We have accounts of the progress of this distinguished orator and statesman through the western part of New York. At Buffalo, Black Rock, &c. committees, appointed by the people, waited upon him, and tendered their respectful and kind salutations—and he was also waited upon by a committee of the mechanics and manufacturers, &c. A splendid boat bearing his name, was launched at Black Rock, in his presence, on which occasion he delivered a brief address, in reply to certain remarks made to him. He had been invited to public dinners at several places, but politely declined

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them—wishing to devote all the time at his command to the examination of interesting objects, and an "unrestrained and unceremonious intercourse" with the people.

FREE LABORERS. We see it mentioned in the papers, that Mr. *William Wirt*, of Baltimore, has purchased an estate in Florida, which he intends to work with hired hands, and hence the "United States Gazette" says, that he ought to be president of the anti-slavery society; on which the New York Commercial Advertiser observes—"We have no objection whatever to the proposed station for Mr. Wirt; but can assure the editor of the United States Gazette, that he will not be entitled to it on the score of originating the scheme of employing free laborers in Florida. Two gentlemen of our acquaintance from this city, purchased plantations in Florida soon after its acquisition by the United States, and commenced a trial of the experiment which Mr. Wirt proposes to adopt. In order to test the accuracy of its results, they purchased half the number of negroes ordinarily required to stock their plantations, and for the other half of the labor to be performed, they hired white men, principally Yankees. They returned to this city, on a visit, about three years ago, at which time, we learned from them, that the free labor experiment had been altogether successful. They found that it required not more than half the number of white laborers to perform a given amount of work—that consequently there was but half the expense of furnishing them with food, &c.—that they performed their labor with much greater skill, and in every respect better than the negroes, and that they did not commit the reckless waste and petty thefts of which the slaves are constantly and notoriously guilty. These gentlemen were, therefore, fully determined, as a matter of economy, to employ free laborers only, if they could succeed in hiring enough of them, and to dispose of their slaves on hand, in the best way they could. It has not occurred to us to ascertain recently how far they have succeeded in carrying into effect the final purpose they expressed, but entertain no doubt of the sincerity of their intention, or of the correctness of their representation."

The *Jamaica* papers inform us that an experiment of free white labor, on a large scale, was about to be made on that island—for which purpose an agent was about to proceed to Germany.

We once thought that slave labor was the cheapest—but are now sure that it is not. If the *soil* and *climate* of the densely populated eastern states could be fitted for the cultivation of cotton, sugar and tobacco—the southern states would not furnish the supply of these articles.—The *industry* and ECONOMY of the former would break down the labor-hating and wasteful latter—just as free labor in *young* Ohio has already interfered with the profits of the tobacco planter in *old* Maryland—notwithstanding all the benefits of *experience*, and of *location*, in the last named state. Ohio can—and, as it were, without an effort, annually produce as much tobacco as the foreign market will advantageously take of the various "Maryland sorts."

A great mistake generally prevails in the south, as to the laboring classes in the north. It is supposed that these are worked harder than the negro slaves. It is not so. But a sound economy prevails. Nothing is wasted—every thing is done in its season—all things are put in their places; *the people think*—and, after using a tool to-day, they suppose that it may be wanted again, and so carefully set it aside, in good order. For such and other like reasons it is, that there is no working people in the world who have so much *leisure* as the Yankees. They drive their business—instead of suffering it to drive them. Their philosophy teaches—that it is better to be before time, than after time; that it is easy to wait for Time, but hard to catch him. *His only holding place is* BEFORE.

SUGAR PLANTING. *From the Savannah Republican of May* 29. We have been favored by a friend, with the following statement of the produce of last year, of three distinct plantations, in that part of East Florida, known by the name of Alachua. The names of the planters are omitted, because this notice is made without consulting them; they are left, however, at this office, where any one so disposed may see them.

Information connected with the general agriculture of our region of the United States, we think must be interesting to our planting subscribers—and we therefore, give this example of planting, with pleasure.

*1st plantation—47 hands.*

| | |
|---|---|
| 160 hhds. sugar, | $11,200 |
| 14,000 gallons molasses, | 2,800 |
| 4,000 bushels corn, | 2,500 |
| Fodder, rice, beans, peas, &c. | 1,000 |
| Total, | 17,500 |

*2nd plantation—20 hands.*

| | |
|---|---|
| 90 casks sugar, | 5,400 |
| 7,000 gallons molasses, | 1,000 |
| Fodder, beans, &c. &c. | 1,000 |
| Total, | 7,400 |

*3d plantation—12 hands.*

| | |
|---|---|
| 50 casks sugar, | 2,500 |
| 7,000 gallons molasses | 1,500 |
| 2,000 bushels corn, | 1,200 |
| Fodder and extra produce, | 500 |
| Total, | 5,700 |

[☞The 1st plantation produced 372 dollars to the hand—the second 370—and the third 475.

The aggregate is 79 hands and 30,600 dollars—or 387 dollars for each hand.

This is a great deal more than the average product of free labor in the north, especially if agricultural.]

EMIGRANTS. A mighty number of emigrants are arriving at Quebec—chiefly from Ireland. Thousands seem to be coming almost every day. Many will seek the north western parts of the United States—but Canada promises soon to be a very populous and powerful colony. The *destiny* of this country may well interest political speculators. At present it is important to the "mother country" as an out-let for her superfluous population—especially the "paupers."

PAUPERS AND CRIMINALS. During the last winter, 1,083 cords of wood were distributed in Philadelphia; and of the persons relieved 2,287 were natives of the United States, and 888 foreigners—of the latter 493 were Irish, 195 Germans, 103 English, &c.

Of the 412 males confined in the Walnut street, (Philadelphia) prison, on the 1st Jan. 1832—96 were foreigners; 48 Irish, 20 English, 10 Scotch, 10 Germans; of other countries only one each.

AFRICAN COLONIZATION. Numerous applications are making to the board of managers for the passage of free persons and slaves to the colony at Liberia—and especially from Georgia and Virginia. The means of the society do not keep pace with these applications.

DINNER AND SUPPER. *Rapid exchange of civilities!* The New York Gazette states that a *dinner party* is made up in Philadelphia for the 4th of July, to which a number of gentlemen from New York are invited; they leave there at six in the morning, dine at two, and start at three for New York to a supper, accompanied by the gentlemen who give the dinner in Philadelphia.

[To make the "thing" complete, the New York party ought to *breakfast* at home—which they may leisurely do after sun-rise, without at all interfering with subsequent operations.]

MASSACHUSETTS. The Essex Gazette has a return of all the attempts made to elect a member of congress for "Essex North district," from Nov. 1, 1830 to May 6, 1833—in all *fourteen!* In every case there has been three candidates—national republican, Jackson and anti masonic, with a good many scattering votes. What a waste of time, (which is money), and of money itself, has been caused by this perseverance, under an unwise law? A plurality of all the votes given, is required. It is so, we believe, in all the New England states, but has been reformed in Vermont—so that, at the third trial, a majority elects.

Mr. Gorham, (nat. rep.) has been elected to congress from the Boston district.

It is uncertain whether gen. Dearborn has been re-elected. He had made a gain as compared with the last election.

The result in the Essex North district is unknown: but it is probable that Mr. Osgood, a "coalition" candidate has been elected.

RHODE ISLAND. It appears from the proceedings of the legislature of Rhode Island, that the attorney general of that state has instituted a process in the supreme court

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of the United States, against the state of Massachusetts, in relation to the boundary line between the states.

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CONNECTICUT SCHOOL FUND. The capital of this fund consists of bonds, contracts and mortgages, viz. against

| | | |
|---|---|---|
| residents of the state of New York, | | $575,929 34 |
| " Connecticut, | | 526,387 18 |
| " Massachusetts, | | 233,544 27 |
| " Ohio, | | 88,815 43 |
| " Vermont, | | 7,943 79 |
| Stock in the Connecticut banks, | | 147,450 00 |
| Cultivated lands and buildings, viz. | | |
| In Massachusetts, | 114,020 67 | |
| Connecticut; | 65,366 52 | |
| New York, | 17,630 95 | |
| | | 197,018 14 |
| Wild lands in Ohio, | 84,444 66 | |
| " New York, | 35,844 40 | |
| " Vermont, | 13,913 00 | |
| | | 134,202 06 |
| Stock and farming utensils, | | 1,810 00 |
| Principal on hand, 1 April, 1833, | | |
| Cash, | | 16,638 29 |
| | | $1,929,738 50 |

A writer in the Connecticut Courant remarks—"Well may the state of Connecticut be proud of the ample provision made for the education of her children. No community in the world of equal dimensions has such a fund for such a noble object. Let it be the pride and glory of all parties and creeds to render it as safe and productive as possible."

The income of this fund, received last year, was $80,913—which is divided among the towns in proportion to the children in the schools, &c. It is expected that the income will be considerably increased.

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BALLOONING. Mr. Durant lately ascended from Castle Garden, New York, in a balloon, to a height exceeding three miles—(the greatest ever attained is said to have been four miles.) He left the Garden at *4m.* past 5 o'clock—in 25 seconds was out of sight, and in 2 minutes *he* lost sight of the earth. He descended safely in *1h. 37m.* in West Chester county, about 12 miles from the place of starting. The cold was intense, at his greatest altitude.

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FRANKLIN INSTITUTE, AT PHILADELPHIA. We have received "a list of the premiums offered to competitors at the eighth exhibition" of this institute, to be held in October 1833. More than one hundred articles are enumerated for premiums—gold or silver medals, and there are a few to which a premium in money is also added. Several of the offers have relation to the use of anthracite coal, and many to various manufactures of iron, in both which Pennsylvania is deeply interested. Handsome premiums, in money, are offered for the best stoves, or grates, for anthracite coal, the cost of which shall not exceed ten dollars, and for the best street lamp: and a committee of the institute are devising ways and means to offer a premium of one or two thousand dollars, "to the company or individual who shall first succeed in making sheet iron equal to that now imported into this country from Russia."

This institute has rendered important services to the community, and we are glad to be informed that it has a stable foundation.

The following is the 105th premium—

To the person who shall invent, on or before the first day of October next, the best plan which will prove effectual in preventing the escape of sparks, (when the fuel employed is wood). from the smoke pipe of a locomotive engine on Stephenson's construction, without diminishing the draft so as to interfere with the rapid production of steam, or otherwise impairing the power or speed:

*Two hundred dollars and a silver medal.*

The above premium is offered at the request of the New Castle and Frenchtown turnpike and rail road company, who have liberally engaged to provide the funds for the payment of it. Various experiments have been made by them, which will be freely communicated by the superintendent, at New Castle, to all applicants who may be desirous of competing for the premium.

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DELAWARE. The court of errors and appeals have decided the great case of Randal *vs.* the Chesapeake and Delaware canal company, in favor of the plaintiff. The court was unanimous. The amount claimed is very large—we think more than 200,000 dollars; but the part to be allowed is yet to be ascertained by a writ of inquiry.

BALTIMORE. The Horticultural society of Maryland had their first exhibition on Wednesday last. The shew of plants and flowers at the Atheneum exceeded the most sanguine expectation of all persons—and was, indeed, very beautiful and well arranged. Among other things to be admired was an address from our distinguished friend, *John P. Kennedy*, esq. to a large auditory of ladies and gentlemen.

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VIRGINIA. By an act of the legislature, at the last session, the Bank of Virginia, and the Farmers' bank of Virginia were authorised to increase their respective capitals half a million, provided they loaned the same sum to the James river and Kanawha improvement. General meetings of the stockholders of those banks were held, to approve or reject the proposition. The bank of Virginia accepted, 3,050 yeas, 104 nays; but the Farmer's bank, by a vote of about two to one, declined the offer. The treasurer of the state, on behalf of the stock held by the commonwealth, voted, in both banks, for accepting the law.

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GEORGIA. At a large meeting of *union democratic republicans*, (from all parts of Georgia, composed of members of the state convention and others), agreeably to previous notice, convened in the representative hall, at Milledgeville, on Tuesday evening, May 14, the following resolutions (amongst others), were unanimously adopted, viz:

*Be it resolved, by this assembly*, composed of citizens from various parts of the state of Georgia, convened in Milledgeville, That we approve and will maintain the principles asserted in the Virginia report and resolutions of 1798 and 1799, as expounded by James Madison, the pure, enlighted, and venerable patriarch by whom they were prepared—by which alone can be preserved at the same time the delegated powers of the federal government, and the reserved powers of the states.

*Be it further resolved*, That we disapprove of the doctrines of nullification, believing that they are opposed to the theory of the constitution of the United States, that they are incompatible with the existence of the federal union, that they lead inevitably to civil war, and the multiplication of standing armies, and are most dangerous to liberty: and that we behold, with deep regret, the continued military preparations in a neighboring sister state, which has yielded itself to the guidance of those pernicious principles.

*Be it further resolved*, That we cordially approve of the conduct of our senator *John Forsyth*, and of our representative, *James M. Wayne*, in the unequivocal, and energetic support, which they have given to the administration of Andrew Jackson, in their uniform and judicious efforts to relieve the country from the burdens of an unjust protective tariff, and in their bold and determined opposition to the political heresy of nullification.

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LOUISIANA. An acquaintance lately from the Attakapas, informs us that the planters in that part of the state, never had a more promising prospect of abundant crops of sugar, corn and cotton, than the present season. They have planted an unusually large quantity of the *plant cane*, all of which is in a most flourishing condition. *New Orleans, 24th ult.*

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FLORIDA. It is not yet certainly known whether col. *White* has been re elected, or gen. *Call* elected, the delegate from this territory. Prodigious efforts were made on behalf of the latter. The "Floridian" published at Tallahassee, May 25, gives all the returns, then received, and shews a majority of 97 for White; but says that Call had been proclaimed elected by "the roar of artillery, and shouts of triumph"—adding that, this was *all* the evidence of his election, then present.

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THE CHOLERA. At *Wheeling*, from the 16th May, to 4th June, inclusive, there appeared 142 *decided* cases of cholera, and 74 deaths. In the 5 days ending 4th of June, there were reported to the board of health, 90 cases, and fifty one deaths! An awful amount indeed—in a population of 3,500; admitting that none of the inhabitants had deserted their homes because of the disease. On the 5th of June there died 7, and, on the 6th, six persons.

It was believed that nearly one third of the people of Wheeling had been more or less affected by the cholera, and the premonitory symptoms, more or less severely.

Mr. Noah Zane was among those who died at Wheeling. A majority of the fatal cases is of women and children. The Gazette of the 8th says that the disease had nearly disappeared.

Two fatal cases of cholera have happened at *Sharpsburg*, on the Alleghany river, 5 miles above Pittsburg.

*Nashville.* The cholera has re-appeared here. On the 28th May, there were 20 cases, and 8 deaths—but on the 29th, only 6 or 7 cases and 2 deaths.

Among those who died at Nashville of the cholera, were Josiah Nichol, esq. president of the office of the bank of the United States, and F. Porterfield, esq. a very respectable merchant. The deaths for the week ending June 3, were 30.

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*Vicksburg, Mississippi.* Died, in this place of cholera, on Tuesday 7th May, Mr. Ruel A. Watson, merchant.

On the same day, also of cholera, Jane, Emily, and Juliet, daughters of Dr. J. W. Hegeman.

These three young ladies were the only children of Dr. Hegeman, and on the evening of the same day, one of them was to be married to the gentleman whose decease is likewise announced.

Beautiful flowers, whom evil fate would not sever, but has plucked them all on a single stem. A day since, you were full of the joy and glee of youth, and in the innocence of your hearts prepared for nuptial festivities. But the wedding and banquet now give place to funeral obsequies and solemn assemblages of afflicted friends! On the marriage day, bride and bridegroom meet in the world of spirits and the lovely sisters are in attendance there. Your parents just now delighting in your health, virtues and accomplishments, are made childless and cheerless in a single day, and a melancholy gloom for your loss pervades the society, of which you were but a moment since the joy and ornament.

At *Marine Settlement*, Illinois, and *St. Charles*, Missouri, several fatal cases of cholera have happened. And three persons in one family died in Madison county, *Illinois*—a man, his wife and daughter.

The cholera has re-appeared at Key West. In the lower parishes of *Louisiana* it is reported as raging with great malignity.

This disease suddenly appeared at *Lexington*, Ky. about the 1st inst. and quickly carried off seven persons, after a few hours sickness. On the 4th, ten cases remained which were expected to terminate fatally. Deaths on the 5th—10, 4 white, 6 colored; among the former Mrs. Scott relict of the late gov. Charles Scott.

*Maysville* seems to have been severely afflicted. The town was nearly deserted. Cases have occurred in the neighborhood of Cynthiana. Death ensues, or the danger is generally passed, in 8 to 12 hours.

The cholera has appeared among the passengers of two vessels from Ireland, which have arrived at *Quebec*. They were placed in quarantine.

RAIN. The Winchester (Va.) Republican, has a table shewing the fall of rain, at that place, for each month, in the last 4 years—as follows: 1829—46 in. 9 16ths; 1830—39 in. 10 16ths; 1831—42 in. 10-16ths; 1832—27 in. 11-16ths. Greatest in July (1829) 8 in. 6 16ths—least March 1 in. 10-16ths. Greatest in Sept. (1830) 8 in. 2 16ths—least August 1 in. 1-16th. Greatest in August (1831) 6 in. 1-16th—least December 10-16ths. Greatest in February (1832) 3 in. 10 16ths—least in September 2-16ths. For the three last years 3 in. fell in May—in the present year 4 inches; but there fell at Baltimore, in this month, 5 in. 12-100ths.

WOOL. Extract of a letter from a merchant of the highest respectability, dated London, April 16, 1833: English wools of all kinds, for clothing purposes, are scarce and dear; and the quantity on hand at and under 13*d* per lb. is small indeed. The demand here more than keeps pace with the supply. It would be difficult to purchase 100 bales at this moment in all this market. Combing wools are more abundant—of those I could buy 8 or 900 bales at prices annexed. South down fleeces are also scarce, perhaps not more than 200 to 250 bales in London at this time, and very little remains with the farmer. I much question if the quantity of English wools on hand has been so small for very many years. It would be impossible to collect 500,000 lbs. under 13*d*, before the new clip comes to market, which will not be sooner than the end of June or beginning of July, and as so little of old wool will then remain, I think prices more likely to advance than to recede. Spanish wools are also scarce and dear; such as I bought 18 months ago at 1*s* 10*d* to 2*s* 1*d* per lb. are now selling at 2*s* 6*d* to 2*s* 8*d*, the advance on them being somewhat more than in German of equal quality. The quantity of German and Spanish wools in this country is unusually small, particularly all sorts under 2*s* 9*d* per lb. [*Boston Cour.*

☞This promises well for the American farmer—to whom we wish many returns of the "golden fleece."

MEXICO. We begin to entertain better hopes of this "republic"—if a republic there can be where an established religion exists—for the *state* of Mexico has released its citizens from all civil obligations to pay tithes, and the state of Vera Cruz has abolished them altogether. And a bill has been introduced into the national congress to secure the freedom of the press.

A public primary school for the education of children had been opened at Tampico, and a college founded.

Gen. Santa Anna, who had been chosen president of the confederacy, has declined assuming the office, and general Gomez Farias, the vice president, is now invested with the supreme executive authority into which he was installed with brilliant pomp; and his inaugural address is much commended. Santa Anna is represented as not having in form resigned the office of president, but to be holding himself in reserve from reasons of patriotic and political prudence, to preserve the public quiet. He seems to have earned golden opinions by this conduct, in addition to which he has transferred to the fund of public education the pension of $2,000 a year, which had been voted him for his public services, by the state of Yucatan.

The value of the gold and silver ornaments in all the churches of the Mexican union has been ascertained to be thirty millions of dollars!

The country seems quiet and prosperous—judging by the products of the mines; a great deal of silver being obtained and coined.

DUBUQUE'S MINES. We learn from the last Galenian, that the U. S. troops stationed at Dubuque's mines, for the purpose of staying mining operations under private leases from claimants of the land in question, have been ordered away; and that the country is left open for emigration and business. From the same paper we learn, that the claimants of the soil are determined to resist the proceedings of the government; and with that view caution all persons against selling or purchasing ore, or its product, obtained upon the land usually known as Dubuque's tract, and on which, alone, mining operations are carried on in that quarter. The agents of the government, it is declared, will be held liable for all leases made under the orders of the secretary of war, when such leases violate their rights as proprietors of the disputed soil.

This question must ultimately be decided by the supreme court. We understand that the right of Julian Dubuque, under whom the present proprietors claim, was ascertained to be a complete Spanish title by the board of commissioners appointed to investigate the validity of the grants of land made by the Spanish government prior to the cession of Louisiana to the United States, sitting at St. Louis in 1806. The possession of the lands was also acknowledged by the Indians in various treaties held by them with the United States, from the year 1804 to 1822. The claimants of the land in question are wealthy men, and will scarcely suffer the United States to dispossess them of a property held by such a tenure, and which is of immense value. [*St. Louis Republican, May* 17.

INFAMOUS. Lately in England, a young woman, a Roman Catholic, was married to a young man, a Protestant, by a Roman Catholic priest. The couple lived as man and wife about a year, and had one child; after which the husband abandoned his wife, on the ground, that, as they had not been married by a Protestant clergyman, the marriage was not binding on him. She was bound by her religion, but he was not. She could not, according to her church, have another husband; but he could take another wife, and did; and the poor woman's only remedy, if it could be so called, was an action for a breach of promise of marriage, which she brought, and recovered only about $450. [*Centinel.*

## BRIEF NOTICES.

Mr. Hitchcock, proprietor of the American Farmer, at Baltimore, will purchase cocoons for a silk filature about to be established in this city—at from 25 to 50 cents per lb.

Emigration to the west is powerful. The arrivals at Detroit, alone, are about two hundred a day. There passed up the lake, from Buffalo, 2,080 passengers in one week.

The relics of a mammoth have been recently discovered in the neighborhood of Rochester, N. Y. These huge animals must have once been pretty numerous.

It is stated that the cashier of the Greensburg branch of the bank of Georgia, is found minus in the sum of 71,000 dollars. The Milledgeville Journal states, that the mother bank is obliged to redeem its branch notes, and that it has a surplus fund more than equal to the loss above stated, independent of its other resources. Another paper states, that the cashier's effects have been seized, and that they will nearly cover the defalcation.

Died, a few days since, in Raleigh N. C. Mr. Benson Card, aged 100 years, the oldest inhabitant. He had been married to his wife, still living, 70 years.

The famine yet prevails in some of the Cape de Verd islands, and many persons are said to perish daily.

On the 23rd ult. there was a procession of the "*Cincinnati Fire Association.*" We notice it to say—that there were twenty-three engine and hose companies, one hook and ladder company, a "protection society," and four divisions of fire guards—in all numbering about 1,500 effective men. Each engine and hose was drawn by a pair of horses.

A child, represented in the New York papers to be of Poughkeepsie, New York, only six years and ten months old, weighs 271 pounds. They are making a show of it in "Gotham."

The Baptist church of Columbia, S. C. have recently passed the following resolution; believing that the poor and those in moderate circumstances in life have often, from the fear of being accused of a want of proper feeling and regard for deceased friends, been thrown into expenses which they were unable to bear—

*Resolved*, That we believe the habit of wearing the usual badges of mourning, is a custom of the world, not in accordance with the spirit of the gospel; and should be abandoned by the members of Christ's house. We therefore recommend from this time forward, that our brethren and sisters dispense with them.

Sutton, the ventriloquist is said to have won a bet made in one of the river steamboats, that he would induce the engineer to oil some part of the machinery, by his ventriloqual powers.

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First a screaking sound came from the shaft of the water-wheel, the oil-can was immediately in use, but ere that was accomplished the sound came from the piston at every downward stroke. As the oil was about being carried to that part of the engine the trick was explained, a hearty laugh was joined in by the engineer and spectators. [*Albany Advertiser.*

An Alabama paper has an account of the recovery, by her parents, of a little girl, who had been stolen, and blackened and disguised, and sold as a negro slave!

In the last week, a woman was convicted in the mayor's court of Wilmington of stealing a watch, and sentenced to receive *twenty one lashes on the bare back.* [Such is yet the law in Delaware.]

Mr. Henry *Brothers* lately married Miss Nancy *Brothers*, in North Carolina, and a family of *brothers* is expected.

The Pittsburg Gazette says—We received the following information from such a source, that we cannot doubt its correctness. "In the month of March last, a cow of Mr. Burchell, residing in this vicinity, shortly after calving, was taken sick—the owner being a person of some skill in the diseases of cattle, did all that he could to cure her; but, in spite of his remedies, she died. Having some curiosity to ascertain the cause of her death, he opened the body, and found, in the maw, a portion, more than two feet long, of a black snake—a part of it had decayed and disappeared.

A splendid statue, supposed to be of Theseus, has been recently discovered in one of the sewers of ancient Athens. It is about the size of Apollo Belvidere, and of the finest marble and best style of sculpture.

The Taunton Sun, in speaking of the late John Randolph, says—"He was inexplicable when living—who shall describe him when dead."

Two canal boats recently passed Palmyra, New York, eastward, freighted with two hundred and fifty barrels (twenty-five thousand dozen) eggs from Ohio. These valuable cargoes were owned by a speculator from "down east."

In the gardens of Chapultepec, near Mexico, the first object that strikes the eye is the magnificent cypress called the cypress of Montezuma. It had attained its full growth, when the monarch was on the throne, (1520) so that it must now be at least 400 years old; yet it still retains all the vigor of youthful vegetation. The trunk is forty-one feet in circumference, yet the height is so majestic as to make even this enormous mass appear slender. At Santa Maria de Tula, in Oaxaca, is a cypress 93½ English feet in circumference, which yet does not shew the slightest symptom of decay.

We learn from the Detroit Journal, that a company has been formed to run a steamboat between the mouth of St. Joseph's river and Chicago, which it is hoped may form a link in the communication between the Atlantic and the Mississippi, by way of the lakes.

A vessel called the "Lady of the Lake," was lost on her voyage from Belfast to Quebec, in consequence of coming into contact with masses of ice, on the 11th May. Her passengers and crew numbered two hundred and thirty, of whom only fifteen were saved in the boat. All the rest went down with the ship. Another vessel with passengers, the Jane, has also been lost in the ice—but with the loss of only 15 lives.

## FOREIGN NEWS.

*From London papers to the 13th May.*

GREAT BRITAIN AND IRELAND.

Sir John C. Hobhouse has resigned the office of chief secretary for Ireland, and his seat in parliament, feeling that if he retained it he must vote against ministers for the repeal of the house and window duties.

In the house of commons on the 30th ult. Mr. John Vey, in pursuance of notice, moved the repeal of the house and window taxes. The motion was opposed by lord Althorp, who declared that their repeal would compel ministers to resign, and, after considerable debate, was negatived by the following vote—which shews there is no present prospect of a change of the ministry:

| | |
|---|---|
| For the motion | 157 |
| Against it | 355 |
| Majority | 198 |

The Quakers' and Moravians' affirmation bill is ordered to be brought in by lord Morpeth, Dr. Lushington and the solicitor general.

Mr. Charles Buller gave notice of a motion for the 17th, on going into committee of supply, "to move resolutions declaring the necessity of immediate and extensive reductions in all departments of the public service."

The plan for the emancipation of the slaves (see page 262), it was expected, would be taken up on the 14th of May.

The affairs of Ireland remain unsettled. Outrages were still committed, and arrests made.

The ministerial plan concerning slavery in the West Indies, has caused "great excitement and dismay" among all whose prosperity is dependent on these colonies. The opinion is that they will be lost "to all useful purposes"—that "a wide-spread ruin and immeasurable distress will abound," &c. We think it very likely—and, also, that this ruin and distress will be *extended;* but feel confident that, very soon, if not just now, the *people* of England will put an end to personal slavery in the West Indies—"come what may."

The ministers were defeated in their financial system with regard to the malt tax, by a small majority in the house of commons—162 out of 314 members present; but their friends rallied, and reversed that decision—285 against 131.

The business of the London theatres appears to be a bankrupting concern.

The influenza still prevailed in London, and was spreading through the country, as well as in Ireland. The people call it the "white cholera."

FRANCE.

There is nothing of interest from France.

HOLLAND AND BELGIUM

Remain as they were. The Dutch stocks had fallen at London, because of the "obstinacy" of the king. He is supposed to receive money from Russia—and it is said that 25,000 men have been sent towards Riga, to assist him—if necessary.

PORTUGAL.

The belligerent brothers remain nearly as they were. Nothing important has happened. Neither seems able to do much against the other.

The cholera was raging at Lisbon—but particulars are not given.

ALGIERS.

It seems, from some remarks that were made in the British house of lords, that the permanent occupation of Algiers, by the French, will be strongly objected to.

TURKEY AND EGYPT.

*Paris, May* 4. The government has received news from Constantinople to the 16th of April.

On the 30th of March, M. de Varennes, the first secretary of the king's embassy in that capital, set out for the *camp of Ibrahim, with the amedji effendi of the porte.*

He was the bearer of a hatti cheriff, by which the grand seignior accorded to the pacha of Egypt the investiture of the four pachalics of Syria, namely, Saint Jean de'Acre, Damascus, Aleppo, Tripoli, and their dependencies.

M. de Varennes had instructions to obtain from Ibrahim that he would desist from his other pretensions.

The negotiations lasted four days. Ibrahim has renounced his pretensions to Diabekir, and to the districts of Alaza and Leftkeh; but he has reserved the question relative to the district of Adana and Orfa, which will be discussed at Alexandria.

In the mean time he has consented, at the request of M. de Varennes, to evacuate Asia Minor. His movement of retreat was to have commenced on the 30th of April.

This act confers on Mehemet Ali, independent of the pachalics with which he has been invested for a considerable time, the whole of Syria.

A second division of the Russian squadron, carrying 5,000 troops, arrived on the 5th April at the entrance of the Bosphorus; but it appears evident that the porte had demanded that the march of the corps of the army of Moldavia should be suspended.

It is said that Russia will require an indemnity of Turkey, because of the movement of her troops.

## AN AWFUL DISASTER.

*New Orleans, May* 25. The following distressing account of the loss of the steamboat Lioness, Capt. Wm. L. Cockerelle, on her passage from this port to Natchitoches, was brought by the Huron this morning, after the paper was ready for press.

The steamboat Lioness, Wm. L. Cockerelle, master, on her passage from New Orleans to Natchitoches, took fire when about forty miles above Alexandria, on Red river, and was entirely consumed. The lives of 15 or 16 individuals were lost, and as many others were more or less wounded. It occurred about 5 o'clock on the morning of May 19, when but few had left their berths, which accounts in part for so many deaths.

The names of the unfortunate sufferers are as follows:

*Passengers dead*—Hon. Josiah S. Johnston, of Louisiana; B. G. Riggs, esq. of Alexandria; Michael Boyce, esq. do. Mr. Michael Clifford, New Orleans; Mr. H. Hertz, Texas; Mr. —— Irwin, a deck passenger; Mr. ——, do.

*Crew dead*—John Coley, mate, Louisville; John Clark, steward, late from England; Samuel Landis, sailor; Wm. N. S. Cant, do. James Fulsome, do. one sailor, unknown; Mary Anderson, chambermaid; Alexander ——, second cook; and a servant unknown, belonging to a passenger.

*Wounded*—Hon. Edward D. White of Louisiana, badly; Henry Boyce, esq. of Alexandria; Mr. Dunbar, do. badly; J. H. Graham, New Orleans; Josiah Johnston, son of the hon. J. S. Johnston; Michael Colgen, Natchitoches; J. V. Bossier, do. M. Rupeio, do.

*Crew*—Mr. Isaac Wright, pilot, slightly; Mr. John Roberts, engineer; John Gilmore, sailor; and two other sailors and one fireman, names not known.

All others on board escaped without injury. Much of the baggage and some money, belonging to passengers, was lost.

How the fire originated is not known; it is supposed, however, to have been communicated either by sparks from the furnace being drawn down the hatch, which was open to get out a lot of way-freight, or through the hole for the fly wheel of the engine, or else from a spark of the candle used by the mate and men in the hold getting up freight, which being lodged in a crate of straw or oil, or other material, kindled so rapidly as to defy their exertions to extinguish it, and in attempting which they lost their

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lives, not one of them getting out to give the alarm, or afterwards to account for the misfortune.

The boat and cargo went down near the middle of the river, and are entirely lost.

Much credit is due to the inhabitants near the spot, and at Plaisance, for their prompt assistance in saving those who were struggling for life in the current, for their kindness and hospitality to the wounded, and for their liberality and friendship to all the strangers thrown destitute amongst them, and to the crew of the lost boat. J. W. TWICHELL, *clerk.*

*New Orleans, on board the steamboat Huron, May* 24.

☞P. S. The melancholy disaster above occurred from gunpowder, which blew up the boat from the fire in the hold.

FURTHER PARTICULARS.

*From the Alexandria (Lou.) Gazette of the 22d ult.*

It becomes our duty to record an event which thrills us with horror as we relate it, and which has brought desolation and sorrow among us, by the destruction of some of our best and most valued fellow citizens; as well as many others with whose names we are at present unacquainted. The steamboat Lioness, on her passage from this place to Nachitoches, blew up with a terrible explosion, and was literally torn to fragments. This disaster occurred on Sunday morning last, just at day light, near the mouth of the Regolet Bon-Dieu. The explosion, or rather the three successive explosions, following each other so rapidly as scarcely to be distinguishable, were heard at a considerable distance.

The fore cabin and the boiler deck, and the hold immediately under them, were scattered into fragments over the water for a considerable distance. Many of the passengers who escaped were enabled to do so by seizing those fragments, after they had been themselves thrown into the water. In about two minutes after the explosion, the hull of the boat sunk, leaving a part of the hurricane deck, and portions of the ladies' cabin floating on the surface. On this the ladies (we are happy to say all of them) were saved, together with many gentlemen.

The explosion seems to have been caused by the firing of some powder which had been shipped in the boat.

There were two of the hands in the hold with a lighted candle engaged in some arrangements there at the time the boat blew up, and the mate had gone down a moment before, to assist them. It is supposed that by some unfortunate accident the powder was fired by them.

By a letter from G. M. Graham, esq. who has just returned from the wreck, we learn that the hon. Josiah S. Johnston, Bazil Q. Rigg, esq. and Charles Boyce, esq. are among the missing.

That the hon. E. D. White has escaped, but is seriously injured from burns and bruises; that Messrs. Boyce, Dunbar, Sewell and William Johnston, have escaped without any serious injuries: that Messrs. Roubieux and Graham were somewhat injured, the latter in fact, very seriously; that many sufferers unknown to Mr. G. were on the plantation of judge Smith, in a terrible situation from their wounds and burns. Some of these, it is thought, would die.

It is also stated that the inhabitants along the shores of the river generally were prompt and persevering in their endeavors to yield every assistance possible; and that they are still making use of every effort to alleviate the sufferings of those who have escaped with life.

Even amid the gloom and horror of such a catastrophe, it is consoling to see the spirit of benevolence and humanity displaying itself in a generous assistance, and assiduous attention of our fellow citizens towards the sufferers.

☞We rejoice to learn that Mr. White, as well as the son of Mr. Johnston, were fast recovering from their wounds; and, as well as several other sufferers, were considered out of danger. The body of Mr. Johnston had not been found.

## POLAND.

The nobility of Podolia have summoned courage to supplicate mercy from their barbarous oppressors, though they only venture to do it in the humblest tone and on their bended knees. The following is an extract from their address to the emperor Nicholas. Permission to use their own language, in courts of justice, protection in their national religion, and an exemption from the horrors of perpetual imprisonment and exile, is all that they venture to ask, and far more than they will obtain. They say—

"Your nobility, O sire, sees with fearful apprehension the difficulties and losses to which the prohibition of our native language in the judicial courts will expose us; and we Poles, like other Sclavonian nations, have our own distinct language, for so many centuries become natural, rich in remembrances, common to millions of your subjects, preserved to us by your ancestors, indispensable in our social occurrences; in that language we had all our deeds, contracts, conventions. It explained our wants, it became indispensable, and incorporated with us. Gracious lord, leave that language to us, that in it we may pray to God for you and your blessed family.

"With our persons we carried our Roman Catholic religion under your sceptre. Religion, watching on human frailties, wants the guidance of ministers of God; the neglect, the fall of religion are forerunners of general corruption. The religion of our ancestors has left to the sovereigns its protection. In your high wisdom, your majesty has found it necessary to abolish the convents and confiscate their estates; but, sire, those convents fulfilled likewise parochial duties. Great scarcity of curates and priests is felt already; the conscience and morality of your people in such general subversion, wanting the assistance of religion, will prove most detrimental. As our common father, we beseech thee humbly, O lord! have mercy upon us, advice as to those impending evils.

"In all countries the nobility is aware that its duty is to support the throne. The difference in fortunes—poverty even, did not deprive them of their privileges. We humbly beseech your majesty to stop orders by which beings without any guilt are carried away from their homes into most remote countries. In every corner of the world they will prove faithful subjects to your majesty; but, sire, the poorest man loves the country where he was born. That universal instinct, witnessed by tears of thousands of families, emboldened us to entreat, sire, your humanity for them.

"Our brothers have offended you, seeking relief from their sufferings, not by prayers addressed to you. But, sire, as an image of the Almighty on earth, you shall not always remain provoked, you shall not always punish us. Parents, with a ghostly bewildered eye, look for their children carried away from them, sent for ever to impervious regions; others seek an asylum in foreign countries, remote from their relations, in want and poverty. Few of them you have pardoned; jointly with us, they beg you to extend your clemency to others.

"We lay, sire, these most humble prayers at the footsteps of your throne."

(Here follow the signatures of all the marshals of the different districts.)

"*Kaminiec, the 29th day of September,* 1832."

This, alas! is the language used by a people who were once the freest in Europe!

*London, April* 14.—In spite of the remonstrances which we are willing to believe have been made by the only two powers of Europe that still remain undistempered by the pestilent influence of Russia, the work of confiscation is still carried on in Poland with an unsparing hand. The greediness with which the barbarous oppressors of that ill-fated land pursue their course of rapine shows that their appetites for Polish plunder is as inordinate as their thirst for Polish blood. It is now nearly three months since the publication of an official notification of the Russian governor specifying in detail the estates and property of every description confiscated in the single government of Volhynia. Recent disclosures of the sufferings of the Polish refugees in this country, and the consequent appeals made on their behalf to the generosity of the British people, have brought this document once more under our observation, and we reproduce it here.

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|---|---|
| 1. Peasants, 37,218, estimated, agreeably to the custom of the country, (where, in selling estates, they are valued according to the number of serf-peasants inhabiting them, and who are attached to the glebe), at £25 a head | £930,000 |
| 2. Moveables, cattle, manufacturing and agricultural machines, articles confiscated along with landed estates, computing them at one-eighth of the value of the estates | 115,000 |
| 3. Roubles (in silver) 266,853 | 50,000 |
| 4. Ducats, 16,738 | 9,000 |
| Amount of confiscations in the single government of Volhynia | £1,104,000 |

The civilized world has not been outraged by a second official record of the progress made by the commissions appointed and authorised to superintend the spoliation of a land which the sword, the scaffold and the deserts of Siberia, have already nearly depopulated. That the members of these commissions, however, have not been idle—that they have been unceasingly occupied in the prosecution of the objects of their disgraceful mission, is unhappily but too well known by the raggedness and poverty of their victims, who, but for the charity of strangers, would have wandered naked on foreign shores until sheer starvation put an end to their miserable existence. Nor is there any great difficulty in forming something like an estimate of the gross amount of plunder which these commissioners will purvey to the imperial coffers at St. Petersburgh. Let the amount of the confiscations in Volhynia, be a criterion, and then,

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|---|---|
| In the six governments (namely those of Podolia, Volhynia, Kijen, Wilna, Grodno and Minsk) the amount will be | £6,624,000 |
| The kingdom of Poland, in which the insurrection was almost general, will furnish about an equal amount of confiscations, making altogether about | £12,000,000 |

Whether this sum of £12,000,000 be destined for the support of new attempts to bring freedom and civilization beneath the yoke of barbarism and tyranny, it is not our present purpose to inquire; all we were desirous of showing was the probable amount of gain which will accrue from the subjugation of Poland, besides blood-guiltiness, the widow's and the orphan's curse, the hostility and hatred of every honest heart, and all else that follow in the train of wanton aggression on the land and liberty, and life, of a brave and deserving nation.

*Warsaw, April* 2. The commissioners for quartering the troops give notice, that if several of the house-holders of Warsaw, notwithstanding repeated summonses persevere in their negligence, and will not prepare lodgings for the Russian officers, especially those of high rank, the commissioners will hire such lodgings at the expense of the persons in question, and at the

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same time they invite all those who have lodgings to let, to apply to their office.

## SLAVERY IN THE BRITISH WEST INDIES.

The deputation in favor of the immediate emancipation of negro slavery within the British dominions, that had lately a formal interview on the subject with the British ministers, consisted of three hundred and thirty-nine gentlemen who had been sent to London from all parts of Great Britain. The proceedings and designs in England, in this case, are so interesting to our country, that we are induced to extract the following article from a London paper.

"*Colonial slavery.* At a meeting of gentlemen deputed from various parts of the United Kingdom to represent to his majesty's ministers the sentiments of the inhabitants in their respective districts on the subject of colonial slavery, held in London, on Thursday, the 18th of April, the following resolutions and memorial were adopted:—

*Resolutions.*

"On behalf of ourselves and those who have selected us to attend in London for the purpose of expressing their opinions and wishes on the subject of negro slavery, we, in humble reliance on the blessing of God upon our exertions, and acknowledging his Providence in assembling us upon this great occasion, declare our assent on the following propositions, as truly representing the objects we desire to see accomplished, and the principles on which we think any plan for emancipation should be founded:—

"1. That all persons detained in slavery in any part of his majesty's dominions ought forthwith to be emancipated. Any restraint, extending to the whole community, deemed necessary by way of police regulation, we do not deem inconsistent with this principle; but we deprecate all delay, or partial emancipation; first as a continuance of injustice, and secondly, because it is our conviction that emancipation may be at once safely effected, and the greatest danger of bloodshed and confusion will arise from deferring it.

"2. That as the negro race have already suffered the grossest injustice from detention in a state of slavery, we declare our decided disapprobation of any plan whereby they, by their labor or otherwise, may be compelled to pay, in whole or in part, for that emancipation which we deem to be their right by the law of God, and by the clearest principles of justice.

"3. That as the government may deem it necessary, with a view to immediate emancipation, to incur the expenses of an increase and efficient police establishment for the preservation of peace and tranquillity, the country will cheerfully consent to bear such expenses.

"4. That when that debt of justice which is due to the negro shall have been fully paid by immediate emancipation, the country will cheerfully consent to promote such fair measures of relief to the West Indian planters as may be deemed needful by parliament, leaving to the discretion of his majesty's government the consideration of such cases of distress as may be proved to result from the measure.

"5. That the opinions expressed in these propositions are entertained by a very large proportion of the people of this kingdom, whose abhorrence of the guilt, iniquity, and cruelty of the system is such, that they will, in dependence on the Divine blessing, resolutely persevere in all legitimate exertion, until slavery shall cease forever in every land over which the government of Great Britain exercises dominion.

"SAMUEL GURNEY, *chairman.*"

"*The solemn declaration of the committee and members of the colonial union, for the parishes of St. Mary, St. Ann, Trelawney, St. James and Hanover, at a general meeting, held at the court house, in the town of Falmouth, on Saturday, the 28th of July, 1832. James I. Hilton, esq. in the chair.*

"We, the undersigned, most solemnly declare that we are resolved, at the hazard of our lives, not to suffer any baptist or other sectarian preacher or teacher, or any person professedly belonging to those sects, to preach or to teach in any house in towns, or in any district of the country, where the influence of the colonial union extends; and this we do—maintaining the purest loyalty to his majesty king William the Fourth, as well as the highest veneration for the established religion, in defence of social order, and in strict conformity with the laws for the preservation of the public peace—to shield this portion of his majesty's island of Jamaica against insurrection and future destruction; and these are our reasons—

"1. Because we have the most undeniable and unequivocal proofs that the baptists and other sectarians have instilled into the minds of our hitherto contented and happy slave population, opinions that they are and have been an oppressed and injured people.

"2. Because they have falsely propagated among our slaves an opinion that the king of England had made them free, which so bewildered their minds as utterly to destroy every tie of affection for their masters and owners.

"3. Because the chiefs and principal ringleaders in the recent rebellion were mostly class-leaders of the sect called baptist, who not only preached sedition, but enforced rebellion on the properties which were devastated by fire.

"4. Because sectarians generally have, under the guise of religion, taught the slaves to throw off all political restraint, and to assert their independence, which they attempted by rebellion murder, rape and arson.

"5. Because we wish to maintain, and prevent from falling into the hands of a semi-barbarous people, this fair portion of his majesty's dominions, which, allowing these sectarians to propagate their dangerous and insidious doctrines, will, ere long, be affected with the most fearful consequences.

"6. Although in this solemn declaration we disclaim being actuated by any spirit of intolerance in respect to the religious sentiments of our fellow subjects, yet we are determined to discountenance all those who profess and disseminate doctrines so pernicious and so decidedly subversive of all order and subordination, and we confide in the cordial co-operation of the lord bishop and clergy of the established churches of England and Scotland.

"7. Because it is necessary that a stop should be put to the further propagation of the pernicious doctrines of these sectarians, we consider it necessary to withdraw all support and intercourse whatever from any one who may adopt the destructive principles of the baptists or other sectarian preachers in this island, or countenance them or their followers in any degree; and, pledged as the members of the colonial union are to stand by each other, from a due regard to public welfare, the fullest reliance is entertained that they will hold the observance of this and every other obligation of the union, under all circumstances, paramount to every other consideration, and will use every exertion to ensure their fulfilment.

"8. That a book be kept in each parish, in which the resolutions of the union shall be entered: and that every member of the union be required to affix his signature to them, and by doing so acknowledge, without any reservation, that he is bound by the most solemn pledge which he can offer to preserve them inviolate."

### PLAN OF NEGRO EMANCIPATION.

*London, May* 11.

I. That every slave, upon the passing of this act, should be at liberty to claim, before the protector of slaves, custos of the parish, or such other officer as shall be named by his majesty for that purpose, to be registered as an apprenticed laborer.

II. That the terms of such apprenticeship should be—

1st. That the power of corporal punishment should be altogether taken from the master, and transferred to the magistrate.

2d. That in consideration of food and clothing, and such allowances as are now made by law to the slave, the laborer should work for his master three fourths of his time, leaving it to be settled by contract whether for three-fourths of the week or of each day.

3d. That the laborer should have a right to claim employment of his master for the remaining one-fourth of his time, according to a fixed scale of wages.

4th. That during such one fourth of his time, the laborer should be at liberty to employ himself elsewhere.

5th. That the master should fix a price upon the laborer at the time of his apprenticeship.

6th. That the wages to be paid by the master should bear such a proportion to the price fixed by him, that for the whole of his spare time, if given to the master the negro should receive 1-12th of his price annually; and in proportion for each lesser term.

7th. That every negro, on becoming an apprentice, shall be entitled to a money payment weekly, in lieu of food and clothing should he prefer it, the amount to be fixed by a magistrate with reference to the actual cost of the legal provision.

8th. That every apprenticed laborer be bound to pay a portion, to be fixed, of his wages, half yearly, to an officer to be appointed by his majesty.

9th. That in default of such payment the master to be liable and, in return, may exact an equivalent amount of labor without payment in the succeeding half year.

10th. That every apprenticed negro, on payment of the price fixed by his master, or such portion of it as may from time to time remain due, be absolutely free.

11th. That every such apprentice may borrow the sum so required, and bind himself, by contract before a magistrate for a limited period, as an apprenticed laborer to the lender.

III. That a loan to the amount of £15,000,000 sterling be granted to the proprietors of West India estates and slaves, on such security as may be approved by commissioners appointed by the lords commissioners of his majesty's treasury.

IV. That such a loan be distributed among the different colonies, in a ratio compounded of the number of slaves, and the amount of exports.

V. That the half yearly payments hereinbefore authorised to be made by the apprenticed negroes be taken in liquidation of so much of the debt contracted by the planter to the public.

VI. That all children who at the time of the passing of this act shall be under the age of six years be free, and be maintained by their respective parents.

VII. That in a failure of such maintenance, they be deemed apprentices to the master of the parents, without receiving wages, the males till the age of 24, the females to the age of 20, at which period respectively they and their children, if any, shall be absolutely free.

VIII. That this act shall not prevent his majesty from assenting to such acts as may be passed by the colonial legislatures for the promotion of industry or the prevention of vagrancy, applicable to all classes of the community.

IX. That upon the recommendation of the local legislatures, his majesty will be prepared to recommend to parliament, out

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of the revenues of this country, to grant such aid as may be deemed necessary for the due support of the administration of justice, and of an effectual police establishment, and of a general system of religious and moral education.

## CHESAPEAKE AND OHIO CANAL.

*Williamsport, June 1.*

*The canal—Change of location*—General *Mercer*, president, and Messrs. *Smith, Janney, Cunton* and *Price*, directors of the Chesapeake and Ohio canal company, accompanied by colonel *Gruger*, engineer, paid this town a visit on Wednesday last, on business relating to the canal. We have learned that they transacted business at Harper's Ferry and Shepherdstown, on their way up, a part of which was the letting of that portion of the Baltimore and Ohio rail road, being four miles and one-tenth between the Point of Rocks and Harper's Ferry, which the canal company have undertaken, by the recent compromise, to grade. The contracts entered into for this purpose, provide that the work required is to be finished on or before the 1st day of March next, being two months and ten days within the time allowed by the compromise; and yet considered amply sufficient for tha execution of the task.

The gentlemen above named proceeded from this place to Hagerstown on Thursday, where they also transacted business; and we greatly regret to be informed, that they there adopted a resolution to institute a survey of a route for the canal, on the Virginia shora, commencing at Middlekauff's dam, (eight miles above this place), where the present contracts terminate. The reason for this contemplated change of location is the excessive and enormous damages given in Maryland by juries, which the board do not think the resources of the company justify them in iocurring in future. They will therefore, if more advantageous terms be met with, on the opposite shore above, (of which there appears to be no doubt), conduct their work across the river at the point mentioned

We do hope that the public-spirited landholders on the Potomac, in this and Alleghany counties, through whose property the canal was contemplated to pass, and upon whose estates it would confer the most signal benefits, will not permit this noble enterprise to leave our borders, carrying with it into a neighboring state, villages and manufacturing capital and establishments which would otherwise be our own, besides its ordinary convenience as a public highway. The survey ordered is to be made forthwith.

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In the case of the Chesapeake and Ohio canal company *vs.* George Lefever, tried on Tuesday and Wednesday last, being a proceeding to condemn land for the canal, the jury returned an inquisition of $6,500 damages. The quantity of land condemned was 42¼ acres, 36½ of which were arable. The quality was good bottom land. The location of the canal threw a body of the land of the owner between the canal and the river, to which two modes of access were provided by previous stipulation, one a ferry at the most convenient place to the proprietor, the other, a bridge over the canal where a public road crosses it. It was also previously stipulated that watering places were to be made for the proprietor's cattle, and that the water of a spring, used heretofore by his tenants, and over which the canal would pass, should be conducted under the canal by pipes, connecting with a pump upon the upper side of the canal, all of which the company was to have done at their expense. Additional fencing was required, of about 1,800 pannels, upwards of 600 of which being new, and the balance removed fencing. Tha body of land separated by the canal from the farm comprised about 46 acres of the best bottom land in it, and is in a shape perfectly susceptible of cultivation, having now wheat crops upon it equal to any in the country.

As to the benefits which the canal is capable of conferring upon the estates of owners through which it passes, we will mention one instance in the neighborhood. A farm lying contiguous to this town, on the opposite side of the Conococheague, the largest part of which is bottom land, equal to any in the county, was recently sold, after the canal company had condemned what was required of it for their use, to an enterprising citizen of this county for $55 per acre. A small body of it, comprising about an acre or more, cut off and thrown next to the river, was sold to another individual for $700. This land had been several years in market, and a year ago could not command from $40 to $45. Other instances might be adduced, if it were deemed necessary further to illustrate the beneficial operation of canals upon property, which experience every where has confirmed.

## DEPARTMENT OF STATE.

OFFICIAL.

*Report on the treaty between France and the United States, made by M. Humann, the minister of finance, to the chamber of deputies, on the 6th of April. Translated for publication by order of the department of state.*

GENTLEMEN—We are now about to submit to the chamber, the treaty concluded on the 4th of July, 1831, between the United States and France, as was announced by the king at the opening of the session. The object and result of this treaty was to put an end to the discussions which have so long existed between the two countries, to the manifest injury of both.

The United States have been for twenty years demanding indemnification for the seizures and confiscation of American vessels, not only under the imperial decrees of Berlin, Milan and Rambouillet, but even after their revocation. Other demands are also made by them, on account of vessels burnt at sea by French squadrons, in order to prevent the conveyance to the enemy of intelligence respecting their motions.

It is unnecessary to repeat the terms of these decrees, which are well known; suffice it to say, that the proceedings which took place under them, however rigorous they might have been, and injurious to the commerce of neutral nations were only intended as reprisals against the orders in council of the British cabinet. The United States, on their part, in 1809, made similar reprisals, by ordering the seizura and confiscation of British and French vessels in their ports, as also of tha productions of those countries, without regard to the character of the vessel which brought them. It must be acknowledged, that these measures altered the position of the United States, as far as regards their complaints respecting the decrees of Berlin, Milan and Rambouillet; and their government, in undertaking to do itself justice, surrendered all right to protests or to found claims, on account of confiscation made in virtue of those decrees.

There were, however, exceptions, of which justice requires the admission; and although France could not be called on to satisfy all the claims of the Americans, there were a certain number which could not with equity be denied. Such, for instance, were the following cases:

Of American vessels seized and confiscated in virtue of the decrees of Berlin, Milan and Rambouillet, before the persons interested in them could have received information of those decrees.

Of American vessels condemned after the 1st of November, 1810, the date of the revocation of those decrees.

Of American vessels burnt at sea by the French squadron.

The imperial government even did not deny that these exceptions were founded on just grounds, and it appears from the negotiation which had been begun some time before its overthrow, that an arrangement similar to that now presented to tha chamber, was in contemplation at that period.

The government of the restoration, after long opposing the claims of the Americans on the ground, that it was not answerable for the acts which had given rise to them, at length abandoned that position, and like the imperial government, allowing the possibility that some of the demands might be founded in justice, declared its readiness to examine them, if the United States would, on their part, listen to the demands which might be made on them by France.

Indeed, not only had many claims of a pecuniary nature been urged on various accounts, against the United States by French citizens, but the 8th article of the treaty of cession of Louisiana, by which French vessels were to be always allowed the privileges of the most favored nation in that part of the union, still remained unattended to. By the treaty of Ghent, British vessels were to be received on the same terms as American, in the ports of the United States; and the French government thereupon claimed for French vessels the same privilege in virtue of the treaty of cession above cited. This was refused by the cabinet at Washington, which denied that the 8th article of that treaty could be so interpreted, and moreover attempted to shew that as by the constitution of the United States the whole country was under the same regulations as to commerce and navigation, such admission would be granting a monoply, or exclusive advantages to Louisiana in the trade with France, which would be incompatible with their system of government.

At length the United States, though always contesting the principle on which our demands were made, offered to allow an important reduction in the duties on the importation of our wines.

This was the state of things when the revolution of July, 1830, interrupted the negotiation, which was, however, soon renewed, under the influence of the sympathy which that great event called up between the two nations.

The chief difficulty was as to the amount of indemnifications to be paid by France, which the United States estimated at seventy-five millions of francs. But as in this case the length of time which had elapsed, with various other circumstances, rendered it impossible to make a just estimate, all that could be done was to compound in a friendly manner, and adjust the business as fair as possible.

Both governments saw that there were political reasons which rendered an acknowledgment necessary; that the two nations were in a great measure united in feeling, and that every obstacle to a more intimate and a reciprocal intercourse, ought to be removed.

The American claims urged every year in congress, and constantly alluded to in the messages of the president, were at length considered by the people of the United States, rather as a political question, than one of mere private pecuniary interest. The government of the United States was under obligation to press the demands, and that of France could not refuse to notice them; above all, since the Americans had declared their willingness to do justice to the complaints on our side. Under these considerations the treaty of July 4th, 1831, was concluded, and the ratifications exchanged at Washington on the 2d of Fehurary last.

By this treaty, the claims of Americans were admitted to the amount of twenty-five millions of francs, being just one third of tha original demand; and of this sum one million and a half is to be employed in satisfying the claims of French citizens on the American government.

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The United States, on their part, in lieu of the privileges secured to our shipping in the ports of Louisiana, by the 8th article of the treaty of cession, have consented to n modification of their tariff, in favor of French wines, which for ten years succeeding the 2d of February last, are to be admitted at duties lower than those imposed on other wines.

Finally, France admits the *long staple* cottons of the United States on the same terms with the *short staple*.

Such are the principal provisions of a convention which was absolutely indispensable; and which, terminating all causes of irritation on either hand, gives place to those sentiments of amity, which are so natural in the relative situations of the two countries, and to which our glorious revolution has made an accession.

It is true that this treaty adds another charge to the budget, but the sum is employed in acquitting a debt, the justice of which cannot be denied; good faith was interested in the admission, and true political considerations required that the arrangement of the affair should not be deferred. Moreover, the provisions are not exclusively to the advantage of the United States; the engagements are reciprocal, and the rights of French citizens to whom the American government was in debt, are secured by it.

Ever since the exchange of the ratifications, the United States have faithfully observed all the stipulations relating to the lowering of duties on French wines. We, on our part, have begun by admitting their *long staple* cottons on the same terms with the *short staple*. We have now to fulfil the financial part by paying the sums agreed upon as indemnification, not only to the Americans, but also to French claimants of the United States. For this purpose we have the honor of submitting to the chamber the following

BILL.

Art. 1. For carrying into effect a treaty between France and the United States, concluded on the 5th of July, 1831, and ratified at Washington on the 2d February, 1832, by which France engages to pay the sum of twenty-five millions of francs, in six annual instalments, with interest at four per cent. on the whole sum payable at each annual period, the minister of finance is hereby authorised to add to the budget of each year from 1833, to 1838, inclusive, the sum stipulated for such payments, according to the 2d article of said treaty.

Art. 2. The minister of finance is, therefore, authorised to receive a credit for 5,166,668 francs 66 centimes each year, to wit: 4,166,666 francs 66 centimes as the amount of the first sixth of the whole sum, and one million as interest.

Art. 3. The sum of 1,500,000 francs which the government of the United States engages to pay to France in lieu of the claims of French citizens against it, shall be received in annual instalments of 250,000 francs each, with the interest; being reserved out of the annual sum which France engages to pay to the U. States, and put to the credit of the minister of finance, for the acquittal of claims of French citizens against the United States.

The above report and bill were ordered to be printed and laid before a committee.

## NEW NATIONAL BANK!

*From the New York Mercantile Advertiser and Advocate.*

"OUTLINE OF A PLAN FOR A NATIONAL BANK." A pamphlet under the above title, with incidental remarks on the bank of the U. States, is now in circulation in this city. It emanates from a meeting convened on the 20th of February, 1833, for the purpose of receiving a report from the committee of a former meeting, to whom was referred a plan for a new national bank.—*Preserved Fish* resumed the chair, and *Henry W. Hicks* was again appointed secretary.

A committee composed of *Isaac Bronson*, *George Griswold*, *Daniel Jackson* and *John Bolton*, presented the report containing the outline, which commences with some strictures upon the present bank of the United States.

We annex the principal features of the plan as they are laid down in the pamphlet before us, believing that in this manner one of the objects of the committee, at least, will be best promoted, namely, that of inviting discussion.

1st. That a bank of the United States be established by a new act of incorporation, for the term of twenty years with a capital of thirty-seven and a half millions of dollars, whereof ten millions to be subscribed by the government of the United States, and twelve and a half millions by the several states, in the ratio of their electoral votes, (subject to modifications introduced into section 11th), in a stock bearing four per cent. interest, payable half yearly, and subject to the restrictions hereinafter specified. The remaining fifteen millions of capital to be subscribed by individuals or corporate bodies, and paid for in money.

The stock in which the subscriptions of the government and the states are to be made, to be irredeemable during the existence of the charter, and inalienable as regards the bank except with the consent of the government, under circumstances of imperious necessity, and then only in hypothecation, for money borrowed for the term of one, two or three years.

The bank stock subscribed by the general and state governments not to be sold during the existence of the charter.

The dividends of bank stock owned by the general and state governments, and the interest on the 4 per cent. stock, in payment of their bank stock to be made payable at one and the same period, at the bank.

The excess of dividends over the interest payable by the U. States and the several states, may be considered an ample substitute for bonus to the former, and for taxes on the part of the latter.

2. The United States to appoint eight directors, and the states to elect ten directors, but not more than two of those appointed by the United States, nor more than one of those elected by the states, to be residents of the same state.

The money stockholders to elect twelve directors, each stockholder being a citizen of the United States, to vote in person, and no votes by proxy to be allowed, excepting those of trustees, guardians, executors and administrators, who may delegate their power to one of their associates—and excepting also corporate bodies, who may authorise one of their officers or a director to vote on their behalf. At the annual election, one-fourth of the directors elected by the government, and by the money stockholders who shall then be in office, to retire from the board; and of the directors elected by the states, two to go out of office the first election, three the second, two the third, and three the fourth election.

Stockholders residing out of the state in which the bank is located, may lodge their votes at an office, on a certain day to be specified, or may forward the same by mail, addressed to the cashier of the bank under a sealed envelope, on which shall be written the number of shares which they respectively hold, bearing their own signatures written across the seal of said envelope. The votes thus sealed, if lodged in the offices of the bank, to be forwarded by the cashiers thereof, accompanied by a statement and a list of the stockholders and number of shares then on the books of the respective offices, and which are not to be opened until the close of the polls at the bank.

Each subscribing state, in which an office is established, may appoint two directors of such office. Other directors of offices to be appointed by the board of the bank.

"At the first meeting of the board of directors, (after an election), a president, a vice president and an executive committee of five members be appointed for the term of one year, of which committee the president and vice president should also be members ex-officio."

The president and vice president of the bank to be re-eligible as directors; the office of president, however, not to be held by the same individual two years in succession, but to be filled by the vice president or a member of the executive committee.

3. The bank to be located in New York.

4. An office of discount and deposite also to be established in the same city, for the management of its local business, with a specific capital assigned therefor.

An office of discount and deposite to be established in each state, but it shall not be obligatory on the corporation to place an office in a non subscribing state, unless required by the government of the United States so to do.

The directors of the bank to have the same, but no other control, over the office in New York than is exercised over other offices.

Capitals to be assigned to each office, and varied at pleasure.

5. The notes or bills issued by the bank to be made receivable at any and all the offices in payment of debts due the bank or offices, and also in payment of government revenue.

6. No note or bill to be issued under twenty dollars. Checques or drafts not to bear the similitude of current bank notes.

7. No note or bill having more than ninety days to run to be discounted, either directly or indirectly, nor any loan to be made for a longer period than ninety days by the bank or any of its offices; and every note, bill or other obligation to be bona fide paid as they respectively become due; nor is any renewal to be granted unless the essential interests of the bank should require it, and then only with additional security, and by the affirmative vote of three-fourths of the board.

8. The whole amount of profits to be divided half yearly, excepting only a reasonable sum to provide for losses; but the fund thus reserved not to exceed two millions of dollars at any one time.

9. The bank not to charge over the rate of 6 per cent. per annum on loans or discounts, not to deal in foreign exchange, but to have this privilege in domestic bills of exchange and in gold and silver bullion.

10. The amount of discounts and loans not to exceed forty millions of dollars; but, if from the aggregate statements of the bank and its offices, it be at any time found that this sum has been exceeded, the excess in that case to be reduced within ninety days.

11. The stock of the bank appropriated to any one state not to be less than 200,000 dollars, whether entitled by its number of electors to this amount or not; but after assigning this minimum to the states that may be thus restricted, the remainder of the twelve and a half millions to be apportioned among the other states according to the provisions of the first article, and the capital may be increased, on the admission of each new state into the union, to the extent of $200,000, if desired by such new states.

12. If the capital assigned to an office be more than double the amount of bank stock appointed to the state in which such office is located, the excess may be taxed at the same rate as state banks in the same state.

13. The bank to render the same services to government in the collection and distribution of its funds, and on the same terms prescribed and provided for in the charter of the existing bank.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 17—VOL. VIII.] BALTIMORE, JUNE 22, 1833. [VOL. XLIV. WHOLE No. 1,135.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The president, and his suite, at the date of our last accounts, had reached *Rhode Island*, and would soon arrive in *Boston*. He has been every where treated with the highest marks of respect—and, generally, such as ought to be conferred by the people and received by their own *elected* chief magistrate; but, in many instances, acts have been committed disgraceful to freemen, and insulting, as we believe, to the dignity of the presidential office—and, probably, also, disgusting to general Jackson.

We shall, in due season, offer a brief history of the president's tour. The accounts are lumbered with so much *stuff* that we have not leisure just now to throw away the rubbish.

The secretary of state has returned to Washington. The vice president joined the president's suite at New York, and proceeded eastward with him. It is said that the president, on his return, will stop at Saratoga Springs, and visit Albany, Harrisburg, &c.

☞The very great importance of the proceedings had in England concerning negro slavery in the British West Indies, has induced us to give the speech of Mr. *Stanley*, (long as it is), *in extenso*—that the views of the ministry may be clearly understood, as well as the facts on which they rely for the support of these views. This subject, in our opinion, is deeply interesting to *all* the people of the United States; and, if the scheme of emancipation shall be carried out, it will have a material effect on the relations and *business* of the northern and southern parts of our union.

We have in type the elaborate opinion of the circuit court of the United States, for the eastern district of Pennsylvania, lately pronounced by judge *Baldwin*, in the case of an assault, &c. made to prevent the arrest and carrying off of a slave. It is of great length—but the points made are so clearly and powerfully stated, and the *law* so decidedly established, that we shall incur the expense of a supplement to present it entire to our professional friends, and all others who have a general interest in the questions determined.

☞It appears by the "Globe" that an attempt was made to rob the mail, near Bladensburg, when on its way from Baltimore to Washington, on Tuesday night last. The canvas bags, which contain only newspapers and pamphlets, were cut out of the rear boot of the stage, and some of them broken open, but abandoned by the robbers. The letter mails are either placed in the forward boot, or in the body of the coach—generally in the latter.

A reward is offered for the depredators.

THE CHOLERA. It was officially stated, on the 1st inst. that no dangerous or contagious disease prevailed at *Key West*.

The brig Ajax, from New Orleans for Liberia, with 150 emigrants (chiefly manumitted slaves), was lately compelled to put into Key West, because of the cholera. She lost three persons when only two days out, and of the whole about 50 had died.

The *Pittsburg* Gazette of the 11th inst. notices the death of two raftsmen, by cholera. They arrived from below.

The disease seems to have nearly ceased at *Wheeling*.

Some deaths still happened at *Nashville*.

*Lexington* has been severely visited by the cholera. Deaths, June 2nd—2; on the 3rd—13; on the 4th—14; on the 5th—9; on the 6th—5; on the 7th—6; on the 8th—30; and on the 9th, 10th and 11th about 30, daily! This is terrific! Up to the 11th the whole number of deaths, at Lexington, were estimated at 200!

Speaking of the disease, the Lexington Reporter of the 8th says—"We have never witnessed such anxiety, such alarm, such a panic as the countenances of the citizens generally evinced, on Wednesday and Thursday last. It would be far beyond our powers of description, to give to those who did not witness it, even a faint idea of the sorrow and gloom visible in every countenance. The stoutest hearts seemed to quail before the relentless destroyer, that was stalking among us unseen, giving scarcely an intimation to the persons whom it had selected for its victims, before prostrating them upon a dying bed. No one pretended to claim an immunity from its grasp, and no one knew at what moment he, or some of his family, would be one of its victims. All seemed to be seized with an awful dread. We heard an old veteran say he had been in many a hard fought battle; he had heard the sound of cannon and musket balls passing through the air; he had seen the dead and dying strewed around him, and heard the groans and shrieks of the wounded; but never had he felt such an awful dread of impending danger, as he felt during the four days ending yesterday."



The fatal cases of cholera at *Maysville*, Ky. up to the 12th June, were 41—an awful number for that place, which was also deserted by nine-tenths of its population.

Cases have also happened in Washington, Georgetown, Versailles, Bardstown, Shelbyville, Simpsonville, Lawrenceburg, Paris, Flemingburg, and many other places in Kentucky.

Private letters received at Charleston from *New Orleans*, give the most horrible account of the ravages of the epidemic among the negroes on the plantations in that vicinity. On one plantation it is said, there had been upwards of one hundred deaths.

The *Baton Rouge* (Lou.) Gazette of May 25, states that in fifteen days, during which the cholera had prevailed in that place, the deaths were about twenty, white and black.

*Ohio.* Bridgeport (opposite Wheeling) had a population of about 200 persons, more than one-half of whom instantly abandoned their homes on the appearance of the cholera; and it is stated of the 70 or 80 who remained, 50 were attacked, of whom eighteen died in one day! The details are truly awful. In one instance, a man and his wife were found dead, in the same bed.

Some cases are reported at *Steubenville*.

The cholera has made its appearance at *Galena* and *Dubuque's mines*. At the latter place it was very fatal, as most of the miners were living in tents, and were without the necessary means of curing the disease.

The health of *Natchez* appears nearly restored, but the accounts of cholera in its neighborhood are unfavorable.

Two deaths by cholera, of a father and son, have happened at *Charlestown*, Indiana.

*Alabama.* Cases have appeared at Montgomery.

The *New Orleans Argus* of June 6 says—The cholera has broke out in Fort Gibson; the number of deaths are ten out of fifteen cases. It has also reappeared in the parish of St. Mary's, both among the white and colored population; but has proved fatal only to the latter class. It is also in Lafayette, and raging to a great extent in Rapides, especially among the slaves. We also understand that it has again visited Covington, (parish of St. Tammany), and many slaves are daily falling victims to it on the coast. We have heard of one planter who has lost forty-four.

Many of the most respectable and worthy citizens of the west have been swept away by the cholera—which, especially at some places, spares neither age, sex, nor condition.

LATEST ACCOUNTS.

*Louisiana.* Deaths at New Orleans, by cholera, on the 7th June, between 40 and 50.

One planter at Franklin lost 45 slaves in 48 hours—another 150!—and he, with the rest of his slaves, fled, leaving the dead unburied.

*Mississippi.* The cholera has appeared at Jackson, the capital of this state.

*Alabama.* Some fatal cases have happened at Mobile, but, up to the 7th of June, no great alarm existed.

*Florida.* Several deaths have occurred at Appalachicola.

*Missouri.* The cholera was bad at Palmyra and New London, about the 4th instant.

*Pittsburg.* One case, which originated in the city, happened on the 11th inst. A paper of the 14th says that no other had yet occurred.

*Key West.* All the deaths on this island were of colored persons.

*Nashville.* Only 2 or 3 deaths a day at the last accounts. Mr. *Yeatman*, of the banking house of Yeatman, Woods & Co. died on board the steamboat Mount Vernon, on the 12th inst. on his way to Philadelphia, after 30 hours illness.

*Louisville* was healthy on the 13th.

*Maysville*, (*Ky*.) An extra from the office of the Eagle, dated June 12 says:

"Maysville, at this moment, presents a scene that finds a parallel no where in the annals of her previous history; nine-tenths of her population have left the city, and, of those who still linger within the vicinity, anxiety and dejection are depicted in every countenance, and each one looks as though the next hour was that allotted for his destruction."

*Lexington, Ky.* As above stated, the disease at this place, has been terrific. For several days, the deaths were 30 a day—though the population had become very small. A number of the most respectable of the citizens had died.

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The following is the latest accounts from this town—

*Lexington, June 12.*

* * * * "I do assure you we have seen and heard enough since I wrote you, two days since, to strike terror to the strongest nerve; even the physicians wore such awful countenances, that it was enough to confound and terrify the weak and timid. Nearly all the physicians are completely prostrate, and many of them now in bed; surely there never has been such mortality in any place of the same number of inhabitants. Since nine or ten o'clock this morning, it is admitted by every one, almost, that the disease is subsiding; and since that time until the present, say 5 o'clock, P. M. I do not think that there has been a single new case, (I mean a violent one); there are but few left in the place to have it, nearly all that could go to the country have been gone some days; many of whom have died. There are not enough well persons left to take care of the convalescent and inter the dead. I have been told there were twelve or fourteen uninterred at one time this morning, at one of the grave yards. It is useless for any one to attempt to guess how many have fallen. Three hundred would probably be a reasonable computation. On yesterday and to day, it has been impossible to get coffins or rough boxes made sufficiently soon to put them away."

Another letter of the same date, says—there seems to be an abatement of the cholera to-day.

CHEERING! "*Blessed are those who find consolation!*" An exceedingly large amount of distress prevails in the British agricultural, as well as in the manufacturing districts. To relieve the fears of the landholders and cultivators, the house of lords has promptly refused to consider a motion to *modify the* CORN LAWS; and, to encourage the manufacturing and working classes, the *prospect* of an open trade with India and *China* is held out; on the presumption that scientific power will *not* be used in the former, and that the latter may be persuaded to exchange her "*natural* productions" for "British productions of science and art." The latter is a very pretty scheme! And, *if* China will suffer the labor of *one* person in Britain to purchase the fruits of the labor of *twenty* persons in China—there is no doubt that Britain will wonderfully prosper. But there is an "if" in the way of this project, and we "guess" that it will not be easily removed! "Bell's Weekly Messenger," however, administers "consolation" with more reason in the following paragraph:

"One thing is in operation, which, within a very short interval, will totally, we think, alter the present aspect of their affairs, and raise them to a degree of prosperity of which they have little notion. We speak of the mitigation and gradual removal of the *American tariff*, and the admission, nearly duty free, of *British manufactures into the ports of the United States*. We feel persuaded, that an immense market is here about to open to the merchant and manufacturer of England; and, therefore, as regards this class, we entertain very strong and confident hopes that their state of difficulty and distress will be but temporary."

There is one thing, nevertheless, which the "Messenger" ought to have thought of. How are the Americans to pay for British goods under the present British tariff? What have we *more* to export which Britain will receive? Is not the consumption of ALL our chief "*natural* productions," except cotton, virtually prohibited, or so severely taxed that they cannot be used freely? *If*, as Mr. *Jefferson* once said, it is the policy of America to have her "workshops in Europe,"—is it not the policy of England to have her *corn fields* and *pastures* in America?

On the subject of the new tariff the "doctors differ." The "Boston Gazette," a few days since, spoke of the late law as infusing fresh life into the manufacturing interests—but "Bell's Messenger" calculates on obtaining nearly the whole of the American market, because of that law!

The "Gazette" is mistaken, as we believe—because of the fact, perhaps, that *present* security to the manufacturers held out in the law, has given fresh life to *present manufacturing establishments;* but we know that it has checked, and, in some instances forbidden, the erection of new ones—and we know also that certain great manufacturers are looking to a retirement from their present business, and are *already* making some arrangements for that purpose. The "Messenger," however, is also mistaken. The market for English goods in the U. States, as *now* interfered with by our own productions, may not be essentially affected for *six years**—except in the increased demand for goods with the increase of our population, and in the want of proportionally increased domestic manufacturing establishments—as just above suggested. And the reduced amount of protection afforded, may be made up to proprietors in the equally reduced amount of wages paid to our working people. England cannot go lower in wages—*but we may*. It is the latter, however, that we have most solemnly protested against. We never will place the labor of American citizens on a par with that of British paupers—if it can be avoided. It is the truth—that vast numbers of the English "operatives" are, in part, supported by their parishes—and hence, in many instances, the greater cheapness of English manufactures.

*But there will be a re-action.* The free laboring people of the United States WILL have a *mutually* "free trade," or a *mutually* restricted trade. ONE OR THE OTHER! We shall endeavor to be content with either—but one or the other we must ever insist upon.

EX-LIEUTENANT RANDOLPH AND GENERAL JACKSON. The "miserables," of whom we have more than once spoken, seem determined to keep up a *public* excitement, because of an individual outrage committed on the person of the president, by Mr. Randolph. The real, or *affected*, attempts to arrest the latter, *without* the District of Columbia, have been generally considered as a grasping at a power less tolerable than the assault itself, or as the essence of all that is ridiculous in the annals of crawling sycophancy. There is no present authority to arrest Mr. Randolph, out of the District—and the fuss that has been made about it is contemptible. The *moral sense* of the community is against all such proceedings of private individuals, on the persons of public agents, for public acts—and if this, superadded to the *local laws*, is not sufficient, we have no other alternative than to surround the president, members of congress, and other public officers, with a mercenary guard, armed with sabres or ball-charged muskets. It *has been* the glory of our country, that every good citizen felt himself to be a CONSTITUTIONAL *peace officer*, and also a *soldier*—if capable of bearing arms, and not conscientiously opposed to the use of force. Is this glory to fade away, and the moral power of the republic be transferred to the keeping of indiscriminating "*fighting machines*"—because that one case has happened in which a president of the United States was personally assaulted, with the intent, only, of inflicting an indignity upon him—an intent as impotent as its entertainment was unjustifiable; and which altogether failed of its purpose, through the sound judgment of all men? The person of general Jackson was slightly injured, and his personal feelings rightfully excited; but the fiat of the whole public is—that such an act cannot attach an indignity to a *president* of the United States.

The "Alexandria Gazette" of Tuesday last has the following:

"The motion of the district attorney for the issuing of an attachment against *J. H. Pleasants*, esq. editor of the Richmond Whig, was yesterday argued before the circuit court at great length, by the district attorney, *F. S. Key*, esq. and *Walter Jones*, esq. on behalf of Mr. Pleasants: present, judges *Thruston* and *Morsell*. The opinion of the court was given by judge Thruston, ordering the attachment to be issued; stating, at the same time, that it was a subject of much delicacy and doubt—that he entertained doubts, but that, being called upon at this time to make up an opinion, he had so decided. On motion of Mr. *Jones*, it was then ordered, that the attachment be accompanied with a recital of the grounds on which it was issued. The attachment is made returnable to the court the first Monday in October, being the first day of the next term of the court."

And the same paper of Wednesday, observes—

"It will be recollected that the day on which Mr. Randolph committed the assault upon the president, the grand jury were in session. That body, immediately and properly, *presented* this breach of the laws and disturbance of the public peace. Mr.

* It was this *period of time*, which, perhaps, more than any thing else, induced Mr. *Clay* to introduce the bill—pressed as he was by *other* considerations, to which it is not necessary now to allude. If, after six more years of experience, the right and duty of the government to protect the manufactures of the country, shall be questioned, and the administration remains adverse—the glorious times for England, anticipated by the "Messenger," may be enjoyed. "There is many a slip between the cup and the lip"—and, perhaps, even the south may feel the necessity of that protection which is at present eschewed. Stranger things have happened!

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Randolph, however, had made his escape from the presence of the marshal of the District, the president's secretaries, a coterie of his personal friends, and Mr. Silas E. Burrows: and this fact, together with an impression that some difficulty would occur by an attempt to arrest him in Virginia, as well (as some have maliciously supposed) as a desire to make the most of the business, created a necessity for a bold step on the part of those concerned. Accordingly, it was at once announced, and rumor says officially announced through the Globe, that a "PLOT"—a "CONSPIRACY"—had been hatched here by a "BAND OF RUFFIAN CONFEDERATES;" that this assault was the fruit of this "conspiracy;" that Mr. Randolph was excited to the deed by these "ruffian confederates," and afterwards preserved, protected, and aided in his escape, by the same "BASE CREW." The district attorney himself, determined to support these charges, entered at once into the subject with great zeal and ardor, and laid before the grand jury his attempt to do so, with the avowed design of indicting certain persons in aiding or assisting in the assault, or in assisting the escape of the assailant. For a month the grand jury have been patiently and laboriously engaged in an examination of all the facts which the district attorney has been able to lay before them. The failure of Mr. Pleasants, the editor of the Richmond Whig, to obey the subpœna of the court, rather abruptly terminated the examination; and the grand jury were on Monday discharged, and the court adjourned over. Mr. P. was summoned here to give up the name of the writer of an extract of a letter, which appeared in his paper, detailing an account of the assault, containing such *terrible expressions* as these—"I and a friend accompanied Randolph to the boat," &c. &c. Mr. P. respectfully denied the power of the court to bring him to the District, at the same time stating that he is entirely ignorant of any "plot" or "conspiracy" whatever, and that the extract of the letter referred to was handed to him by a gentleman of Richmond, and inserted as a matter of news, &c. &c. at once showing that his evidence, if obtained, will be entirely unimportant."

"As far as we can learn, the evidence adduced only proves what is known already to the public, and no more. It is certain that the whole attempt to make out a conspiracy has, so far, proved a miserable abortion. That Mr. Randolph was accompanied to the wharf by his uncle—that to prevent his being murdered by the *umbrellas*, sticks, swords, &c. of the valorous gentlemen who surrounded the president, a gentleman present did shove him from the boat to the wharf—that he walked away in sight of those who saw the assault, and were bound to have taken him—that he went up to the hotel deliberately, and as deliberately mounted a horse and slowly rode away—is all true and fully proved; and if *this* shows a conspiracy—a base plot—a combination of confederates—why, all honor to the district attorney for the marvellous discovery!"

☞So stands the case at present. The court, we think, would have better rejected the application for an attachment, than expressed its *doubt* of a power to issue one—unless with a view of hearing an argument on the case, when the attachment shall be returned, and thus bring certain important questions to their final judgment; for we take it as granted, that Mr. *Pleasants* will resist the attachment—and, if taken by force, will appeal to the laws of Virginia; and, by a writ of *habeas corpus*, be discharged. What then?*

As a simple violation of the law, the attack on general Jackson, cannot be considered a higher offence than would have been an attack on the person of his *polite* porter—the man who opens and shuts the great door of the "White House." Had Mr. Randolph been arrested within the District—the law, as enforced against Houston, because of the assault and battery which he committed on Stanberry, would have operated on his case, so far as the *court* had jurisdiction in that matter—and no further than as if between two of the humblest private inhabitants of the District. Yet, while there is a law intended to render the persons of members of congress "sacred," because of words uttered in debate, the courts have nothing to do with the administration of *that* law—the judgment belonging to the house of congress whose dignity is supposed to have been violated: but there is no special law which renders the person of a president more sacred than is that of any other man; and, before the court, general Jackson and Mr. Randolph would stand upon the same footing, as private individuals of the District. In England, such an assault upon the person of the KING would be HIGH TREASON—but there is no *king* in the U. States! We have no "*life guards*," to protect the persons of our presidents—nor *government-priests* to direct their consciences! The first is supposed to be in the hearts of the whole people; and the second belongs, or ought to belong, to our presidents, only, according to the dictates of their own judgment.

We certainly think that Mr. Randolph, if legally arrested, ought to be punished—severely punished, because of various circumstances attending the affair; but still, it is only a case of assault and battery—and we would not have any thing more made of it, except in the force of public opinion, which indignantly rejects all such violences. And if others were associated with him in *making* the assault and battery, they, surely, are also under the same liabilities; but the laws of the land may not be set aside, and new laws made, for this special occasion.

*We know nothing about the nice points, and twists and turns, of the law—and, perhaps, may only shew our own ignorance in expressing a regret that Mr. *Pleasants* appeared, by counsel, in the case; but he knows more than we do about such things—and is not a person that will easily give up any portion of his political rights. It was entirely proper, we apprehend, that he should have made the statement which he did—but further than that we cannot believe that he ought to be questioned; nor can we admit such an inquisition over the press as seems about to be attempted.

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THE DRY DOCKS, at Charlestown, Massachusetts, and Gosport, Virginia, are among the noblest works of the kind in the world. They are now both finished, and we soon expect a particular account of them. On the 17th inst. the *Delaware*, ship of the line, was floated into the dock at Gosport, and, by aid of the steam engine, pumping out the water, she was soon left *dry*, and in a proper state for repairing her bottom. This dock has fulfilled the best hopes of its builders. That at Charlestown is of the same size and construction, and also finished—for the reception of "Old Ironsides," or the *Constitution* frigate; which, perhaps, has been a few days delayed, that the president might witness her introduction.

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A NEW LOCOMOTIVE ENGINE, constructed by Mr. R. L. Stevens, was lately placed on the Camden and Amboy rail road, and works beautifully. The rate of going has not yet been settled, but the greatest *curves* have been passed at the rate of forty miles an hour, because of certain improvements made in the *axle trees*. The rate of 25 or 30 miles an hour, it seems, is attained without any seeming effort. The capacity to generate steam has, also, been much improved; and, from the experiments made, it is hoped that anthracite coal may be used for that purpose. These are great things.

There are three engines now on this road, and six or seven more will soon be ready for use, when horse-power will be entirely dispensed with.

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THE LOCOMOTIVE ENGINE, called the Pennsylvania, invented and patented by colonel *S. H. Long*, of the United States army, has been fairly tried and approved on the Germantown rail road.

Recent experiments have shown that the engine is fit to draw thirty-two tons, easily, on a level road, at the speed of fifteen miles an hour.

The whole weight of the engine is four tons and a half, the boilers evaporate two hundred gallons in an hour, in which time they require the consumption of something less than two bushels of anthracite coal, the only fuel used.

The wheels are made of wood, each with an iron tire of three parallel concentric circular bands, cheap in price, but very substantial, strong, lasting and efficient.

Col. Long has employed himself, for some time past, on experiments for the application of the heat produced by anthracite coal to the production of steam for locomotive engines; and has succeeded in a degree above the most sanguine expectations with which he started. With his arrangement of the furnace and the flue, anthracite may be used, for raising steam, more advantageously than the best pine wood. It sends forth no sparks to burn or alarm passengers careful of their dresses; and emits no disagreeable or pernicious vapor; and it enables the director to travel without the encumbrance of a tender, as the fuel and the water are both carried on the engine.

[*Philada. Daily Chron.*

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A "CONSIDERABLE" BUSINESS. The produce of the Great Falls manufacturing company, at Somersworth, N. H. the six days ending the 31st ult. was 140,000 yards cotton shirting, 30 to 38 inches wide, of yarns Nos. 26, 33 and 40; and 3,300 yards broadcloth entirely finished. The capacity of the woollen establishment, exclusive of carpetings, is 600 yards broadcloths per day.

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THE GIRARD ESTATE. In the select council of Philadelphia, the following report was received on the 13th inst:

*Office of the board of commissioners of the Girard estate,*
*June* 11, 1833.

At a meeting of the board held this day, the treasurer of the Girard trust informed that on the 25th May, 1833, the executors of Stephen Girard filed an account at the register's office, and communicated the following extract therefrom, which the board ordered to be transmitted to councils.

| | |
|---|---|
| Gross amount paid over by executors | $4,030,384 20 |
| Commissions allowed for trouble on $2,777,863 66, 2½ | 69,446 68 |
| Commissions allowed for trouble on $1,886,756 14, 5 | 95,337 80 |
| Balance due to the estate | 470,451 40 |

From the minutes. MORGAN ASH, *Secretary.*

The estate and fund are accumulating rapidly. The interests, and revenues, are large; and, if well managed, will, of themselves, accomplish great things.

Mr. N. Gevelot has been engaged to make a statue of Mr. Girard—*as he was*—for 9,000 dollars.

The ground for the great college has been broken, and the building will go on rapidly.

[The councils of Philadelphia have instructed the commissioners of the Girard estates to take measures to contest the charge made for commissions by the executors of Stephen Girard, on their accounts filed in the register's office, which in the opinion of these councils is excessive.]

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THE CLIMATE. On the 9th of June the temperature, at Quebec, was rising 70 degrees. A severe squall came from the north-west, and, the next morning the ground was frozen, and ice formed an eighth of an inch thick.

The St. Alban's [Vt.] Repository, of the 13th inst. remarks that on the Sunday previous, the snow was several inches deep on the mountains in that region. This was on the same day of the month in which the great snow storm of 1816 there occurred.

At Utica, N. Y. on the 11th inst. brisk fires were necessary, within doors, and surtouts and cloaks without.

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TEXAS. We have been favored with a copy of the constitution of the state of Texas, which commences as follows:

"In the name of God, Omnipotent Author, and Supreme Legislator of the universe! We, the people of Texas, being capable of *figuring* as a state in the manner contemplated in the second article of the decree of the general congress of the nation, of the 7th of May, 1824, DO ORDAIN THE FOLLOWING CONSTITUTION, and do mutually agree with each other, to form ourselves into a free and independent state of the Mexican confederacy, by the name of the STATE OF TEXAS."

This constitution was adopted in convention at San Felipe de Austin, on the 13th April last—54 members present: William H. Wharton, president, and Thomas Hastings, secretary. It contains 106 articles—and the provisions which regard life, liberty and property, have the same general principles as those of the several states of the United States—indeed, many of the articles are mere copies from our own, the people of Texas being nearly all Americans. Officers are required to take an oath "to support the constitution of the United Mexican States, and of this state," &c.

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THE REV. MR. AVERY, since his acquittal by the jury, has been also unanimously acquitted by the Methodist conference, sitting at Boston, not only of the charge of murder, but of having had any improper connexion with Sarah M. Cornell; but yet it seems, and in *Boston*, a large mob collected round him in the street, using harsh language, and menacing personal violence; but the sheriff happened to be in the neighborhood, and dispersed the crowd: and the Providence Gazette of Friday says—"Yesterday a coffin came floating up the river. It was picked up by a boatman, who, having examined it to his satisfaction, shouldered it and carried it away. It attracted no small amount of curious beholders; and to add to the wretchedness of the affair, the lid of the coffin was marked with the name of the rev. Ephraim K. Avery."

Such proceedings are to be deeply regretted. The decision of the law must be respected by every good citizen. All else is from a spirit of "nullification."

And again—The Newport Republican says, we understand that the jury believe that Mr. Avery was proved guilty, but that the proof was not so strong as to preclude the possibility of a doubt, or the hundredth chance of his innocence, agreeably to the saying of the law—'It is better that ninety-nine guilty persons should go unpunished for their crimes, than one innocent man should suffer.'

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COLONIZATION. At a meeting of the friends of the American colonization society, held in New York on Monday evening, the sum of eleven hundred and twenty-eight dollars was collected.

The Alexandria Gazette says—"We yesterday saw a letter from the venerable James Madison, expressing, in the warmest terms, his interest in the American colonization society, and enclosing a donation of fifty dollars, to be applied to the funds of the society."

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MASSACHUSETTS. Election of members of congress. The votes in the Boston district were—for Mr. Gorham, (N. R.) 2,304; Mr. Lyman, (J.) 1,320; Mr. Walker, (anti-mason), 429, and 52 scattering. The first was elected.

In the Essex North district—for Mr. Osgood, (J.) 3,277; Mr. Cushing, (N. R.) 2,894; and 202 scattering. So the first was elected by a small majority. He was supported by the anti-masons—generally.

In the Norfolk district, lately represented by Mr. Dearborn, there is again, "no choice"—Mr. D. again had the greatest number of votes. The votes were—for Mr. Dearbon 2,290—Mr. Jackson, (anti-mason), 2,006; Thurber, (Jackson), 377; and 11 scattering.

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THE INDIANS. We found time to visit Black Hawk and his accompanying Indian chiefs, and the Prophet, at Congress Hall hotel.

We went into the chamber, and found most of them sitting or laying on their beds. Black Hawk was sitting in a chair, and apparently depressed in spirits. He is about 65 years of age, of middling size, with a head that would excite the envy of a phrenologist—one of the finest that heaven ever let fall on the shoulders of an Indian.

The Prophet has a coarser figure, with less of intellect, but with the marks of decision and firmness. His face was painted with red and white.

The son of Black Hawk is a noble specimen of physical beauty—a model for those who would embody the idea of strength. He was painted, and his hair cut and dressed in a strange fantasy.

The other chiefs had nothing particular in their appearance to distinguish them from other natives of the forest.

The whole of the deputation visited the water works yesterday, and subsequently were taken, to the Cherry Hill prison, and shown the manner in which white men punish. The exhibition of arms and ships at the navy yard, led the Hawk to remark that he suspected the great father was getting ready for a war. [*U. S. Gaz.*

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RAILWAY IRON FOR AMERICA. We learn that a most respectable mercantile house in this town has lately received an order to send to America iron for the use of the extensive railways now forming in that country, to the amount of £90,000. [*Liverpool Times.*

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THE CHAINS OF POLAND. The administrative council of Warsaw, by a decree dated March 1st, has regulated the weight of the chains by which Polish prisoners are to be fettered. All male convicts are to drag seven pounds weight of iron—women six.

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MR. WEBSTER arrived at Cleaveland, Ohio, on the 5th inst. in the steamboat "Daniel Webster" from Buffalo, and left that place on the following day, for the interior of that state. On the 10th instant, he was at Columbus, the seat of government of Ohio. He proceeded thence, southward, next day. At all places he has visited, says the Zanesville Republican, Mr. Webster has been treated with the respect due to his talents and services, without reference to party politics.

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DUTIES ON WINES. The following letter from the treasury department, addressed to a house in New York, is important to wine dealers:

*Comptroller's office, 4th June,* 1833.

*Gentlemen*—The secretary of the treasury has referred to me your letter to him of the 27th ult. in which you submit the following questions for the decision of the department.

"Are the duties on wines to be reduced on the 4th March, 1834, to one-half their present rates, and a return duty to be allowed on those then on hand, or instead thereof will the progressive reduction contemplated by the tariff act of 2d March apply to wines? In the latter case will the wines in bond on the 4th March, 1834, be entitled to the first reduction of duty?"

In reply, I have to observe, that the duties on such wines as are now in bond, and shall remain so until the 31st December,

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1833, and on such wines as may be imported before that day, and shall at the time of importation be deposited under control of the proper officers of the customs, and shall remain so until after that day, will have to be regulated by the provisions of the 1st section of the act of 2d March, 1833, to modify the act of 14th July, 1832, and all other acts imposing duties on imports, and accordingly if such duties exceed an ad valorem duty of 20 per cent. a reduction thereon will be made, at the time of withdrawing the wines from the public stores, equal to the tenth part of such excess. Respectfully,

JOS. ANDERSON, *comptroller.*

*To Messrs.———New York.*

DUTY ON LINENS. Treasury instructions to collectors, by which the difficulties heretofore existing are said to be settled: *List of Linens* to be admitted at an ad valorem duty of 15 per cent. under the act of 14th July, 1832.

*Ticklenburgs, osnaburgs and burlaps: Britagnes: belefeldes: bodenwerders: brown Hollands,* wherever manufactured: *cassarilloes: creas: crash: cholet linens: dowlas: heedens,* or white and brown rolls: *ordinary Hessians: Rouans: Russia sheetings: German, French and Flanders* linen sheetings, and *similar sheetings* of other countries: *imitation Russia sheetings: Irish, Scotch and English linen sheetings: platillas: Scotch or Dundee linen paddings: twilled sacking: warenderps:* generally *all plain flaxen* cloth *not* colored, stained, dyed, striped, or checked: *Irish linen lawns: Russia diapers: French linen cambrics: cambric linen handkerchiefs: lawns: German estopillas: table cloths and napkins: damasks and drillings.*

COTTON AND WINE. *In the British house of lords, May 9.* Lord *Auckland,* on moving that the house go into committee on this bill, shortly explained its object.

Lord *Ellenborough* said when the duties were imposed, in 1831, upon cottons, it was proposed to include East India produce of that description, but he objected to it; and, on inquiry into the probable effects the imposition of the duty would have, that intention was abandoned. What he now ventured to suggest was that even the small duty on cottons coming from the East Indies should be given up, as he was persuaded it would have a very beneficial effect; for when the duty was lowered, the importation from that country had improved both in quality and quantity.

The earl of *Ripon* said he should be one of the last persons to oppose any thing which might be supposed beneficial to the importation of produce from India, but he really could not concur in what the noble lord had stated. The duties on East India produce—such as indigo, lac, and other articles, with the exception of sugar, which formed another consideration on other grounds—were next to nothing; and so far as an increase of their consumption depended, he was induced to believe no such effect would follow. He must therefore oppose the suggestion made by the noble lord.

Lord *Ellenborough* thought there was another duty worthy consideration, which underwent an alteration at the same time—viz: in 1831—he meant the wine duty. So far from that duty being favorable to the revenue, it had produced, if he might so term it, a loss of £5,000. The consumption had not increased, as was argued would be the case, nor had the revenue benefitted thereby. He thought, therefore the subject was deserving the attention of ministers with a view of alteration.

The marquis of *Lansdown* said that with respect to the article of wine, the subject had not had a fair trial, for last year, owing to the prevailing disorder which was spread throughout the country, the light wines were not drunk. He defended the soundness of the policy of his majesty's ministers in the course they had pursued, both with respect to the alteration in the wine duties, and the duties on cottons, and printed cottons.

Lord *Auckland* said that during the last three months there had been an increase in the importation of wines, and that last year the falling off of the duties arose from there not being so great a demand for light wines, but the stronger description of wines had increased in the quantity imported.

The bill then went through a committee.

"DEAD LETTERS. In the general post office at Washington, there is one department for the examination of dead letters, which has a superintendent and five clerks."

The above paragraph, which we find in circulation in the newspapers, reminds us to say, that the number of dead letters returned to the general post office, and there examined, &c. amounts to the enormous number of six hundred thousand annually. This branch of the post office is under excellent regulations. Every thing of value is carefully preserved, to be restored to its owners, if they can be found. [*Nat. Int.*

NAPOLEON, by his will made at St. Helena, left to his son his arms, which he thus described—"My arms, namely, my sword, the same which I wore at Austerlitz, the sabre of Sobieski, my poiniard, my cutlass, &c."—M. M. Bertrand, Marchand, and other companions of Napoleon's exile were appointed depositaries, and were to transmit the objects deposited in their hands to the son of Napoleon on his attaining the age of 16. When young Napoleon became of age he was laboring under a mortal disease, and died before he could receive his father's legacy. The objects are still in the hands of the depositaries, who have thought proper to take counsel's opinion as to what they are to do in order to be legally disengaged from responsibility. M. Patorny, an advocate for the royal court of Paris, has drawn up an opinion, in which he proposes the following three questions:—"Do the arms of Napoleon belong to Maria Louisa, that is to say the Austrian? Do they belong to the father's family at Rome? Do they belong to the French nation?" The opinion of M. Odillon Barrot, Paillet, and Philip Dupin, in conformity with that of M. Patorny, is, that the arms of Napoleon are national property, and that the state has a right to claim them, to be deposited in a public establishment.

[*N. Y. Standard.*

## MELANCHOLY CONDITION!

*From the Georgia Telegraph.*

The summer is a season of leisure with a great many—and from a spirit of liberality, they are in the habit of travelling about and seeing the country. From the state of Georgia alone, not fewer than 1,000 come every year.* These cannot spend on an average less than $500 a piece, making a total of $500,000 a year, drawn from that state, and paid to her neighbors. No wonder that the south is every day growing poor, and the north much richer, when the odds is so much against it. Now if this exchange were mutual, I would recommend a frequent intercommunication. But it is not the fact. Who ever goes to the south to spend seasons! If a visit is made there, it is to collect money. You have travellers enough from the north—such as they are—but they carry no money with them. They either go to peddle, to beg, or to dun! In all of which capacities you see a plenty.

Let us look to the various ways in which the north *fleeces* the south, besides the tariff:

| | | | | |
|---|---|---|---|---|
| Spent for pleasure as above named, | | | | $500,000 |
| 100 Medical students each year, at | | | $600 | 60,000 |
| 20 Law | do. | do. | 600 | 12,000 |
| 20 Ministerial do. | | do. | 400 | 8,000 |
| 100 Females | | | 300 | 30,000 |

| | |
|---|---|
| Northern shoes and boots | 1,000,000 |
| Saddles and bridles | 100,000 |
| Carriages and harness | 80,000 |
| Leather | 10,000 |
| Ready-made clothing | 100,000 |
| Watches, clocks and jewelry | 100,000 |
| Household furniture | 100,000 |
| Paper | 100,000 |
| Newspapers | 10,000 |
| Books | 20,000 |
| Medicine | 10,000 |
| Homespuns | 10,000 |
| Calicoes, &c. | 100,000 |

Besides what is paid for northern beef, butter, cheese, potatoes, garden seeds, pork, horses, mules, &c. amounting to a sum almost beyond calculation.

You may say I am getting warm on the subject—and so I am. I cannot help getting warm every time I think about it. I shall curtail my tour of one-half its length, and return to Georgia as speedily as possible, where I shall study economy by confining my expenditures as far as practicable to my own state.

*Why do they? why should they? ED. REG.

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[The preceding appears to be extracted from the letter of some full-blooded Georgian, who was "*fleecing*" his own state by spending his own money elsewhere.]

☞ Truly—this is a frightful picture; but it falls far short of the reality! Only 2,300,000 dollars enumerated. The cheese and garden seeds, and the *et cetera*, (which include "wooden nutmegs" and "horn gun-flints") however, by the aid of a lively imagination, may make the whole sum three millions. But that isn't near enough—to settle the "balance of trade!"—for Georgia exports a great deal more than that value to "the north;" and we should like to know why the rule which the "Georgia Telegraph" applies to the north is "abominable," "roguish" and "rascally," when applied, by "the north," to *England?*

In the last year, we imported 34,848,562 dollars worth of goods from England, of which "the north" (and the west) consumed at least three-fourths, or say, 26,000,000. The whole export to England, of domestic products, in the last year was valued at 26,632,068

| | | |
|---|---|---|
| Deduct—Cotton | 21,262,900 | |
| Tobacco | 2,319,596 | |
| Rice | 419,682 | |
| | | 24,002,178 |
| | | 2,629,890 |

Leaving only 2,629,890 for the value of the exports of the north and the west to pay for the 26 millions worth of British goods consumed by them!

Isn't "what's good for this goose good for the gander?" *If* there is a balance of trade against Georgia, in her relations with the north—what sort of an argument may be made why *Georgia* should "*cut*" these relations, which the north may not also use with respect to *England?* Won't the "rule work both ways?" Is a rule of right in the south, a rule of wrong in the north? Try again. This "pistol has missed fire," or "kicked its owner over;"—no matter which.

## THE CHEROKEES.

*From the Charleston Courier.*

The *Cherokee council* assembled at Red Hill, on the 13th ult. to take into consideration the propriety of accepting the offer of the general government, recently made them for their claim to lands on this side of the Mississippi, was generally attended on the part of the intelligent portion of the people, and very numerously attended by the common Indians. They remained in council several days, upon this all important subject, and have at length dispersed without agreeing to the liberal proposition of the general government, which should have been by all means so very desirable to them. This result is attributed, by the Auraria (Geo.) *Herald*, from which the particulars are taken, to a chief, named *John Ross*, who, it would appear, possesses much influence over the Indians, and is very unfavorable to the general government, and to the people of Georgia in particular. Many of the most enlightened chiefs are said to have advocated the acceptance of the proposition, and it is to be regretted that the "sons of the forest" should have suffered themselves to be swayed by one who has more probably acted from personal motives, rather than the advantage of those whom he was advising.

The Milledgeville *Federal Union*, states that the Indians have only postponed making a treaty, until the meeting of congress, and to prevent any unnecessary delay after that time, an exploring party is to visit the Arkansas country during the present summer; and remarks, "we believe that our Indian controversies are rapidly approaching a harmonious and satisfactory close" —but from the confident manner in which the *Herald* asserts that the council has broken up, and its being nearer the place at which that body assembled we are inclined to believe it has given the more correct statement.

*From the Cherokee Phœnix, May 18th.*

It will be recollected in 1821, the rev. H. Clauder missionary of the Moravians, stationed in this vicinity, with a flourishing school, and a prosperous church was arrested by the Georgia guard, and ten days given him to remove without Georgia, which he was compelled to do; and after leaving a valuable improvement he returned to the society in Salem, N. C. Mr. Clauder was again sent out by the society to Spring Place to supersede the rev. G. Byhal, and received the appointment of post master at that place. This appointment placed him under the protection of the general government, and seemed to secure his residence as a missionary there, without the molestation of the Georgia authorities. But it appears that the learned Georgians are wretchedly behind the Roman notions of justice, they have not the "perpetual will of doing right;" they surveyed the Cherokee country, placed Mr. C. in a lot with a respectable Indian, drew for it, then granted by the governor, and the worthy missionary with his post office commission, was driven off from a valuable improvement by the drawer, utterly destroying two missionary stations in the Cherokees of the United Brethren. The national government have a character to sustain, and it is with that government to see her own citizens protected from the persecution of usurpers.

Again: At Ellijay, an industrious Indian had by his steady habits, improved his premises to be of considerable value, when it was drawn by one of the lottery gamblers in Georgia. The fortunate holder of the ticket applied to the governor for a grant which was given him, on his assurance that there was no Indian occupant on it. The fortunate drawer gathered up his all, including some two or three pistols, and moved to the Cherokee country, loaded his pistols, entered the possession of Ootawlunsta, pointing one at him, and drove the innocent Cherokee from his well cultivated field, and he was without a home the last account we had.

The Cherokees are doomed to suffer.

—

The Washington Telegraph, contains a letter of judge *Clayton*, of Georgia, respecting the negotiation which the executive of the United States pursued last winter with the Cherokee delegation in congress. The judge makes the following statements:

"The administration believed, and had so given out, that there would be no difficulty in procuring a treaty, and public opinion seemed to be settled in that expectation, and gratified at the prospect of such an issue. The first intimation of a contrary result came from the secretary of war himself, and that on the evening before congress adjourned. On that evening, being Friday, and the day after the passage of the force bill, gov. Cass came to the capitol, and sent in for one of the members from Georgia. His message was delivered to me; I immediately waited upon him. He commenced by observing, that he had called to request an interview with the Georgia representation, at his office, on the next morning at 10 o'clock, and then said, the object of it was to consult us as to the course necessary to be pursued in relation to the treaty with the Cherokees. He stated, he considered the government had been trifled with by their delegation; that after giving every reasonable indication of their intentions to treat, they had strangely and suddenly broken off the negotiation. He remarked that several propositions had passed between them from time to time; and that, finally, the Indians asked to know what the government would give for their lands, *in a round sum*, and they would go off on their own "hook," as they expressed it. He said he replied, two millions and a half of dollars. They took time to consider the offer, and on yesterday morning, Thursday, he stated, they called to inquire if the president would give no more. He answered, perhaps the president would give a *little more*, rather than the treaty should fail; they rejoined, that unless he would give a *great deal* more, there was no use for further negotiations. To this remark, which he said surprised him very much, he replied, 'meet me at the president's to-morrow morning, Friday, and we will ascertain what additional sum the president will give you.' They promised to do so, but to his astonishment they had failed, and had addressed him a note, requesting to know when it should suit the president to admit them to take leave of him. Now, said he, we have some idea of offering three millions for their land, and I wish to know whether your delegation will advise the measure. I answered without hesitation, that I *would*—nay, if necessary, he ought to give more. For though it was too much, yet it was a property we ought to have had long ago; our citizens had, and were daily acquiring it under a late disposition of it by the state, were going into the possession of it, and as we could never consent, let the consequences be what they might, to have that possession disturbed, I did think, for the sake of peace, and the adjustment of a much vexed and exciting question, that the land could scarcely be purchased too dearly.

"I promised to meet him next morning, and accordingly did so, finding none other of our delegation there but judge Wayne. I repeated what I had said on the evening before, in which judge Wayne concurred, and he said he would draw up a written communication to that effect, and obtain the signatures of the whole representation, which I approved, and had no doubt it would meet with the similar approbation of the rest of the delegation. I heard no more of it, congress adjourned next evening, and the members separated. I afterwards understood that three millions of dollars had been offered by the government, and that the Indians had proposed to submit the offer to a meeting of the nation, some time in this month; if they would agree to take it, there would be a treaty."

## CHESAPEAKE AND OHIO CANAL.

The recent election of a president of this company having excited considerable attention, we are induced to record the votes given, &c. as we find them stated in the "National Intelligencer."

| | | | |
|---|---|---|---|
| | *For president.* | | |
| John H. Eaton | 5,054 | C. F. Mercer | 3,430 |
| | *For directors.* | | |
| William Price | 7,360 | Edward Lucas | 4,627 |
| J. J. Abert | 7,810 | A. Stewart | 3,834 |
| W. Gunton | 8,821 | F. Thomas | 3,017 |
| W. Smith | 10,281 | | |
| P. Janney | 10,180 | | |
| R. H. Henderson | 5,643 | | |

The first six elected.

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The vote for Mr. *Eaton* was made up of the following parts:

| | |
|---|---|
| The United States | 2,008 votes. |
| The corporation of Washington | 2,008 votes. |
| Individual stockholders | 1,038 votes. |

For president, the proxies of the state of *Maryland* (Mr. *Forrest* and Mr. *McCulloh*) were *divided;* and so were those of the corporation of *Georgetown*. The votes, therefore, of both these interests were *lost.*

Had these two latter interests been voted upon, and the vote been (as expected) for Mr. *Mercer*, it would have added to his vote,

For Maryland.......................1,290 votes
Georgetown....................... 508 votes

and would have *elected* him by a majority of 182 votes:

The aggregate vote for Mr. *Mercer* was composed of the following particulars:

| | |
|---|---|
| The state of Virginia | 570 votes. |
| Corporation of Alexandria | 508 votes. |
| Individual stockholders | 2,362 votes. |

Of the votes of individual stockholders, therefore, Mr. *Mercer* received 2,362 to Mr. *Eaton's* 1,038."

"The directors attempted to be put in by political influence, were signally defeated.* It seems as if Mr. *Mercer* was the only sacrifice upon which a majority could be brought to act together.

"In the election of directors it will be seen that Mr. *Smith* and Mr. *Janney* received seventeen hundred votes more than the joint vote for president. This was caused by the votes of Maryland and Georgetown not being divided in their case, and the aggregate thereof, being 1,798 votes, being given in their favor."

"The list of directors, however, is an unexceptionable one, and some of them have much practical experience in the business of the canal company."

—

"At an adjourned general meeting of the stockholders of this company, held on a subsequent day, at which were represented the United States, the state of Maryland, the state of Virginia, the corporations of Washington, Alexandria and Georgetown, and a majority of the individual stockholders, the following resolution, proposed by Mr. *McCulloh*, on behalf of the state of *Maryland*, was adopted:

"'*Resolved*, That the thanks of the stockholders of 'the Chesapeake and Ohio canal company are, in the opi'nion of this meeting, due to CHARLES FENTON MERCER 'for the zeal, ability, care and fidelity, which he has dis'played in discharging the duties of the office of president 'of this company; and that, in consideration of the atten'tion bestowed and expenses incurred by him, whilst ren'dering many services to this corporation that did not 'pertain to that office, the president and directors be, and 'they are hereby authorised and directed to pay to him 'the sum of five thousand dollars, in addition to his pay as 'president.'

"This resolution received an *unanimous* vote, except the corporation of Georgetown, who preferred a different sum for the extra allowance, but concurred in the spirit of the resolution.

"A motion was then made, from the same quarter, to raise the salary of the president of the company, to begin at this date, from two to three thousand dollars; and also to establish the office of superintendent general, or engineer in chief, to the canal. There propositions were, after considerable debate, postponed to August next, to which time the general meeting was then adjourned."

—

☞An *unanimous* vote, with such acknowledgments of services rendered by general *Mercer*—immediately after such a dismissal of him! It partakes strongly of the absurd, or the ridiculous.

## WATER WORKS.

### PHILADELPHIA AND WILMINGTON.

*From the Delaware Journal.*

The subjoined view of the *Fairmount water works*, which reflect so much credit upon the spirit and enterprise, and contribute so essentially to the comfort and happiness of our neighbors of Philadelphia, is taken from the Philadelphia Herald. The writer has certainly not laid too much stress upon the importance of these works: for among all public improvements, there are none which philanthropists or economists can view with more approving regard, none which more justify and call for liberal and munificent expenditure, than those which have for their object the supply and distribution of an abundance of pure and wholesome water to the inhabitants of a large and populous city. It is not in a spirit of mere vanity, that we introduce here a notice of the water works of our own town; but because our attention has been called to the subject by the annexed statement, and because, too, we feel a justifiable pride in doing honor to the enterprise, the discernment and skill which have, in this respect, placed Wilmington on an equality with any other town, we believe, in the world. The water works constructed in this place, in 1827, are remarkable for their simplicity, their excellence and efficiency—and when we consider that they were constructed for a population of 7,000, it will be admitted, that there is no vain boast in claiming for them all the credit which has been given to Philadelphia for those water works upon which she so justly prides herself, and which, embracing the city and precincts, supply a population probably of 150,000.

The present water works in this place, have cost about 65,000 dollars.

*Iron pipes.* There have been laid since 1827—28,371 feet, or nearly 5½ miles.

*Fire plugs*—62.

Amount of water and mill rents, at the present time, $4,350.

About $40,000 had been expended for the introduction of water, before the present works were constructed; making the whole expense incurred by the town for this purpose, about 105,000 dollars.

The machinery by which this city is now supplied with water, consists of a mill situated on the Brandywine, which cost 28,000 dollars, from which the water is impelled by a forcing pump, through a line of pipes, 2,122 feet in length, to the reservoir at the summit of the town, 109 feet above the level of tide water. This reservoir consists of two basins, each 83 feet by 78, and 10 feet in depth. They contain about 11,000 hogsheads, or eleven millions of gallons of water. It requires forty hours to fill the reservoirs, which contain an average supply of a week or ten days—the usual consumption being from 140 to 160,000 gallons a day. The mill is rented at $750 per annum, and the reservoir is filled at the expense of the lessees. From these works, Wilmington is furnished with a copious and ample supply of the purest water—ample either for comfort, luxury or security against fire—insomuch, that we repeat that, in all these particulars, it yields to no other town upon earth.

### FAIRMOUNT WATER WORKS.

Philadelphia has never been wanting in a proper spirit where objects of real utility were to be gained. The most conspicuous of her public improvements, is the Fairmount works.

We have only leisure to present our readers with the following outline of the operations of this truly magnificent work. At a future period we propose filling up our sketch.

The increase of revenue from water rents in 1832 over 1831, was as follows:

| | |
|---|---|
| City | $2,998 00 |
| Northern Liberties | 1,250 00 |
| Spring Garden | 1,829 25 |
| Southwark | 782 25 |
| Moyamensing | 394 50 |
| | $7,163 00 |

The receipts for the water rents in 1833, amount,

| | |
|---|---|
| In the city proper, to | $46,110 25 |
| Northern Liberties | 15,139 75 |
| Spring Garden | 8,010 00 |
| Southwark | 7,413 25 |
| Moyamensing | 394 50 |
| Total | $77,567 75 |

| | |
|---|---|
| The expenditures for working machinery at Fairmount, and for materials | $1,600 |
| For salaries and incidental expenses | 3,500 |
| | $5,100 |

Iron pipes. There have been laid from October, 1819, to January 1st, 1833—

| | | |
|---|---|---|
| In the city | 248,261 feet—or 47 miles. | |
| Northern Liberties | 57,895 do | or 25¼ miles. |
| Southwark | 38,779 do | |
| Spring Garden | 36,349 do | |
| Moyamensing | 4,217 do | |
| Total | 385,501 feet—or 72¼ miles. | |

| | |
|---|---|
| Fire plugs. The number of fire plugs in the city is— | 375 |
| Northern Liberties | 117 |
| Southwark | 84 |
| Spring Garden | 66 |
| Moyamensing | 8 |
| Total | 650 |

The dam across the Schuylkill at Fairmount is 1,416 feet in length, and six feet six inches above high tide.

*A. Stewart, (if the member of congress from Pennsylvania), we suppose, was not attempted to be put in by the influence alluded to. ED. REG.

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Fourteen thousand eight hundred and ninety-two families and factories are supplied with water—and the daily consumption is at present about 32,000,000 gallons. This quantity will shortly be increased upwards of thirty-five millions of gallons per day.

The cost of the present works amounts to one million two hundred and seventy-nine thousand eight hundred and thirty-four dollars. The whole amount actually expended by the city of Philadelphia for the introduction of the Schuylkill water, from 1799 to the first of January, 1833, exceeds two millions sixty-three thousand dollars.

*From the United States Gazette.*

The following was the *increase* of water rents in 1832:

| | |
|---|---|
| City of Philadelphia | $2,928 00 |
| Northern Liberties | 1,250 00 |
| Spring Garden | 1,829 25 |
| Southwark | 762 25 |
| Moyamensing | 394 50 |

The following are the water rents of the city for 1832:

| | |
|---|---|
| City | $46,610 25 |
| Northern Liberties | 15,139 75 |
| Spring Garden | 8,010 00 |
| Southwark | 7,413 25 |
| Moyamensing | 394 50 |
| | $77,567 75 |
| The estimate of expenses | 25,986 52 |
| Balance | $51,581 23 |

It should be borne in mind, that the estimate of expenses for the year, include the cost of laying iron pipes, which is a means of increasing the revenue.

The whole amount chargeable to salaries in connexion with the water works, is only $3,940 00.

## FOREIGN STATISTICS.

Egypt. The following statement of the military and naval force of this resuscitated empire, is from a late foreign paper.

Military force—

| | |
|---|---|
| Maghreven soldiers | 211 |
| Bedouins | 5,370 |
| French | 15 |
| Hoouara, irregular calvary of Upper Egypt | 3,435 |
| Soldiers belonging to the marine | 25,143 |
| Artillery | 6,357 |
| Ballagi, sappers or pioneers | 3,942 |
| Regular cavalry | 7,972 |
| Regular infantry | 70,011 |
| Generals, officers and soldiers of the irregular cavalry and infantry | 17,998 |
| Attached to the army | 3,483 |
| Total | 193,932 |

These forces are distributed as follows—

| | |
|---|---|
| Mecca and Hedjuz | 13,223 |
| Egypt | 53,511 |
| Negroland | 7,460 |
| Candia | 8,183 |
| In the camp | 82,644 |
| In the arsenal at Alexandria | 8,358 |
| Marine, staff and military schools | 20,273 |
| | 193,932 |

List of the men of war composing the Egyptian fleet in the port of Alexandria—

| | | | |
|---|---|---|---|
| 1 Three-decker of | 140 guns | 30 pounders. |
| 3 Two-deckers of | 100 " | 30 " |
| 1 Do. of | 90 " | 30 " |
| 6 Frigates of | 56 " | 30 " |
| 1 Do. of | 60 " | 42 " |
| 6 Corvettes of | 26 " | 10 " |
| 7 Brigs of | 18 " | 12 " |
| 4 Fire-ships | | |
| 1 Cutter | | |
| 30 vessels. | 1,201 " | |

At this moment there are 4 vessels building, viz: 3 of 100 guns each, and another three-decker, the latter and another are to be ready to be launched at the end of March.

Coffee. A London circular of 13th April says—Coffee is gaining favor; coloury sorts have advanced from the lowest point to 5@6s.; St. Domingo and Java sorts are saleable; Brazil, being abundant, is rather neglected. The importations of coffee from 1st January to 31st March are about as follows—

| | In 1832. | In 1833. |
|---|---|---|
| To Hambro | 7,600,000 lbs. | 2,175,000 lbs. |
| " Bremen | 828,000 | 616,000 |
| " Amsterdam | 2,251,000 | 2,229,000 |
| " Rotterdam | 4,170,000 | 1,465,000 |
| " Antwerp | 1,321,000 | 1,596,000 |
| " Havre | 3,140,000 | 3,362,000 |
| " Trieste | 3,275,000 | 2,900,000 |
| " London all sorts | 4,426,000 | 4,622,000 |
| | 27,011,000 | 19,056,000 |

Presenting a falling off in the imports of eight millions, the stock of coffee in London is less by 12,000 bags foreign, and 17,500 bags East India, than on the 1st January, in consequence of heavy exports to the above continental ports, which has swelled the imports at those places, probably three or four millions more than they otherwise would appear; the falling off in the imports is therefore nearly twelve millions, from which deduct three millions detained since.

Bermuda papers to the 21st inst. have been received at New York. The value of the imports into the Bermudas in 1832, was £97,354 sterling, of which £49,219 was from the United States. The amount of exports was only £25,287—of which £2,882 was to the U. States.

Calcutta. The debts of Messrs. Alexander & Co. have been ascertained by the special assignees to amount to 34,400,000 rupees, and the assets to 17,500,000, exclusive of balances considered doubtful or bad, amounting to 29,830,000, a part of which may probably be recovered. The inhabitants of several districts, in the vicinity of Madras, are suffering from famine and disease.

Public debt of Great Britain. A paper recently laid before the British house of commons, on a call for the information, contains some curious particulars as to the number of the holders of the funded public debt of Great Britain, and the amount held by each. It appears that there were about 279,000 persons having property in the public securities, of whom only 71 drew dividends of £2,000 and upwards. There were 103 holding in trust for societies and corporations, but only 71 as individuals. The number drawing less than £200 per annum was 263,000. To this 279,000 might be added, about 250,000 who had property in the savings' banks. There were therefore 540,000 families whose property was invested on the credit and faith of the country.

London beggary. The number of vagrant beggars now in London is supposed to exceed 40,000. The number of paupers relieved in London in one year was 116,416. The money raised by the poor rates was $1,016,020 96; being 13s. 5½d. sterling per head on the population.

Protestant Episcopal church, Paris. The foundation stone of the first Protestant Episcopal church ever built in Paris, was laid on the 23d of April, in the rue d'Aguesseau, Faubourg St. Honore, by the right reverend bishop Luscombe, who was attended by the rev. Dr. Pritchard, the rev. G. Lefevre, S. Brereton, W. M. Bevan and W. Wood. Several of the French Protestant pastors, and a large number from the departments, who had assembled in Paris to attend the anniversary of the French Protestant Bible society, were present.

The North Holland canal is 32 feet deep, 120 feet wide, and extends from the point of the Y nearest Amsterdam as far as the Helder, a distance of 16 leagues. No steamboats are allowed to ply upon it; but when a ship of war or other large vessel has occasion to pass it, it is towed by horses, to the number perhaps of twenty on either side, and lest it should not be obedient to the helm, ropes are also attached to the ship's quarters, which are held by men on the towing paths, to keep the vessel steadily in the centre, where the water is deepest. The locks are fifty feet wide and 220 feet in length; they are four in number—two ascending and two descending.

Law—in England. At the Salop assizes a special jury case was tried, in which the question turned entirely

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upon the identity of a horse valued at £20. The plaintiff obtained a verdict for that sum. The law charges are expected to amount to between £500 and £600. Mr. Justice Taunton, in addressing the jury, congratulated the county of Salop on the extraordinary wealth it possessed, which permitted it, while other parts of the country were complaining of destitution and embarrassment, to throw away vast sums in bringing a host of witnesses to decide a matter of £20. The horse was brought into court, and underwent a careful examination by the jury!

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WHISKEY—IN SCOTLAND. The quantity of whiskey consumed last year in Scotland was 4,861,515 gallons; being about 700,000 gallons less than for the year before, and about 1,200,000 less than for the year 1830. We know not whether this great falling off be occasioned by smuggling, by temperance societies, or by the distress of the manufacturing population. The export from Scotland to Ireland was 470,000 gallons only, and to England 2,360,000. We fear that the giant smuggler is again abroad.

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EXCISE OFFICERS (Scotland.) There are 16 collectors of excise, whose salaries amount to £6,950. Eighteen collectors' clerks, salary £2,590. 74 supervisors, salary £14,000, and 794 officers, &c. salary £74,788 17s. 9d.

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EDINBURGH. The *Scotsman* announces that the corporation of Edinburgh is £700,000 in debt, and on the verge of bankruptcy. It seems that the project of selling the town churches has been seriously entertained by some of the leading members of the council.

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PARIS. According to the reports of the police of Paris for 1832, there was arrested during the year 77,548 individuals, of whom 26,653 were women; 25,702 drunkards were placed in confinement, 10,291 of them being women. The magistrates inflicted punishment upon 23,458, women, and committed 3,656 persons to take their trials before the tribunals. In 1832 there were 4,719 persons arrested more than during the preceding year.

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IRISH POOR. It appears from a parliamentary paper just published, containing an account of the Irish poor shipped under passes from Liverpool, from 1824 to 1831 inclusive, that the total number shipped from that port were as follow: In 1824, 2,481; 1825, 3,028; 1826, 6,428; 1827, 6,055; 1828, 4,349; 1829, 5,086; 1830, 5,679; 1831, 5,863; making a total, during those eight years, of 38,969 persons; of which number, not less than 23,770 were shipped under passes from Liverpool and other places in the county of Lancaster, and 8,723 from Middlesex.—The total charge for passing these 38,969 paupers was £14,253.

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CONQUESTS OF RUSSIA DURING THE LAST SIXTY YEARS.

| | | Present population. | |
|---|---|---|---|
| 1770 | Bessarabia | 470,000 | |
| 1771 | The Crimea | 451,000 | Incorporated 1783 |
| 1785 | Georgia | 400,000 | Incorporated 1801 |
| 1793 | Little Poland and the Ukraine | 6,474,000 | |
| 1794 | Western Russia, including Lithuania, Podolia, &c. | 8,448,000 | Incorported |
| 1795 | Courland | 581,000 | |
| 1803 | The Lesghian & other tribes | 300,000 | |
| 1806 | Schirwan | 133,000 | |
| 1808 | Finland | 1,350,000 | |
| 1815 | Kingdom of Poland | 4,000,000 | Incorporated 1832 |
| 1827 | Erivan and tribes | 100,000 | |
| 1829 | Armenia, &c. | 400,000 | |
| | Wallachia & Moldavia | 2,817,000 | |
| | Total | 25,924,000 | |

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GOLD AND SILVER COIN. It appears by an official statement from the [British] mint office, that for twenty years previous to the year 1810, there was coined at the mint, gold to the amount of £21,493,640 and silver to £12,216; and for a period of twenty years subsequent to 1810, the gold coined amounted to £45,387,423, and the silver to £9,149,411.

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RENTS. The last Edinburgh Review says—"It would not be difficult to shew that the entire landed rental of England and Wales, is, at this moment, rather under than above *thirty millions*.

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CHINA. The first specimen of an anglo Chinese Kalendar and Register has been published in China for the year 1832. According to this authority, the population returns of the celestial empire, in 1813, amounted to 362 millions; of which number the capital, Pekin, alone is said to contain five millions.

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ENGLISH EXPORTS! A cargo of three hundred and fifty young widows and spinsters was lately sent from London for the supply of Van Dieman's Land. They were decently clad, and well provided for.

The earl of Egremont has chartered a fine ship, at his own expense, for the purpose of sending emigrants to Canada, from his own estates and their neighborhood.

One hundred and fifty of the tenantry of the earl of Derby have been shipped for Canada, in one vessel.

Such things seem about to become of frequent occurrence.

The state of society may be gathered from the following:

On the 27th April, two families, consisting of eighteen individuals, were provided with the means of emigrating to Canada by the parish of Debden. The circumstances attending their departure caused deep sympathy for them in the neighborhood where they lived. The fathers of the two families were agricultural laborers, greatly respected for their sober and industrious habits, each had served the same master upwards of twenty years, and so generally was their determination to leave the country regretted, that their stay was entreated by all who knew them. They, however, refused to listen to all entreaties, and determined to quit their native land, assigning as a reason that at that time twenty or thirty young men were walking about in the parish in a state of idleness, not being able to find employment, and they therefore saw no prospect of a livelihood for their children.

[*Chelmsford Chronicle.*

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ENGLISH AND FRENCH BISHOPS. The ministry of England have proposed to fix the income of the archbishops of Ireland at £10,000. The French chamber of deputies has just fixed the stipends of the archbishop of Paris, the Catholic primate of France, at 25,000 francs, or exactly £1,000.

## BRITISH HOUSE OF COMMONS—MAY 14.

### COLONIAL SLAVERY.

Mr. *Stanley* presented 15 petitions praying for the immediate abolition of slavery, and then upon his motion the house resolved itself into a committee of the whole house upon the subject of negro slavery.

Mr. *Stanley* then proceeded to address the committee, and commenced by expressing his confidence that the committee would not fail to extend to him a large share of kindness when they reflected that, after having been for only a short period in the office which he had the honor to fill, it devolved upon him, in the discharge of his official duty, to bring under the consideration of parliament a question of unparalleled magnitude and importance, involving greater interest perhaps than any question which had for many years been submitted to the legislature. This question also was surrounded with difficulties of a peculiar nature, owing to the time at which it was brought forward. In the safe and satisfactory solution of the question were involved not only a maritime commerce amounting to 250,000 tons of shipping annually, and a revenue of between £5,000,000 and £6,000,000—not only the interests of a vast body of proprietors resident in the colonies and this country, whose very existence depended upon the issue of the question, but also the temporal interests of between 700,000 and 800,000 of our fellow subjects, and of their descendants throughout generations yet unborn. This was not all—it was impossible not to perceive the influence which the successful, or unsuccessful, issue of the mighty experiment now about to be tried must have upon millions of foreign subjects. Those were difficulties enough to appal any man who ventured to bring the subject forward. In the situation in which he was placed, all that he could do was to consider what course he could pursue which would achieve the most good, at the smallest risk of evil. The government was placed between two conflicting parties—one having a deep pecuniary interest in the question,

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intimately acquainted with the subject, connected with the colonies by social ties, and at present laboring under embarrassments which rendered them doubly jealous of any measure which might affect their interests. On the other hand, a universal and extended expression of feeling pervaded the country, and there never was a time when the determination of the people was more absolutely or more irresistably expressed, because it was founded on that deep religious feeling, on that solemn conviction of principle, which admitted of no palliative or compromise, and which pronounced itself in a voice to which no minister could be deaf. The time had gone by when parliament could decide the question whether slavery should or should not be perpetual; the question now to be decided was, what was the safest, the speediest, and most effectual mode of procuring its final and entire abolition. They were mistaken who thought that the deep feeling of the necessity of the utter extinction of slavery was a feeling of yesterday, that it was a momentary enthusiasm, which if opposed would die away; it was the same spirit which fifty years ago pressed upon parliament, and compelled it, in spite of alleged national interests, and in defiance of all the arguments that could be urged in favor of commercial and prudential considerations, to decree the abolition of the trade which supplied negroes from the coast of Africa. If any body would take the trouble to look back to the language of the great men who labored so successfully to effect the abolition of the slave trade, they would find that though the question was then separated from that of the abolition of slavery, the former was considered only as the preliminary step to the latter. Perhaps he might be forgiven if he called the attention of the house particularly to the language of those distinguished men who in former days, to use the words of Mr. Canning, "attacked only the outworks of the great fortress, yet undoubtedly looked forward with a certain conviction in their minds, that the destruction of those outworks would lead to the fall of the citadel itself." In 1792 Mr. Burke published his celebrated letter to Mr. Dundas, in which he exhibited a plan which he called a negro code, and which he apologized for not having exhibited to the public 12 years before. That letter contained this passage—"I conceive that we should not look for the origin of the trade to the place in which it began, but to the place of its final destination. I therefore was and still am opinion that the whole work ought to be taken up together, and that the gradual abolition of slavery in the West Indies should go hand in hand with any thing which may be done with respect to the supply of negroes from the coast of Africa." Mr. Burke's code embraced the abolition of the trade and provisions for the final extinction of slavery in the colonies. In the debates of 1806 and 1807 Mr. Fox, Mr. Wyndham and lord Grenville, though they disconnected the questions of the abolition of the trade and the extinction of slavery, evidently looked forward confidently to a future period, when the latter object would be effected. Mr. Fox said "the abolition of the slave trade will lead to the abolition of slavery in the West Indies." Mr. Wyndham said "that he wished for nothing more at present than the abolition of the slave trade, but he did not hesitate to say that when the proper period arrived, and the consent of other powers could be obtained for its abolition, slavery itself ought not to be suffered to exist amongst the institutions of any civilized state." Lord Grenville, on bringing forward his motion in 1807, said "that the first step from slavery to freedom was effected by the slaves becoming prædial or attached to the land, and that from thence they ascended to liberty. I look forward to the period when the negroes of the West Indies, becoming laborers, will feel an interest in the welfare and prosperity of the country to which they are indebted for protection, and will be called on to share largely in defence of the islands in which they reside." He had read these extracts in order to show to the house that the feeling which now pervaded the country was of no temporary description, and that the imperative cry for the abolition of slavery was founded on a deep and settled conviction that it was consistent with religion, justice and also with sound policy, that this disgrace should not be suffered to remain part of our national system. Parliament had frequently confirmed the principle of the abolition of slavery. In 1823 Mr. Canning proposed his memorable resolutions, as an amendment on the motion of Mr. Buxton, which motion was, to all intents and purposes, similar in scope and principle to that which ministers were then about to submit to the consideration of parliament. Those resolutions received the unanimous support of that house, and they declared that parliament looked confidently forward, through the local legislatures adopting efficient measures of legislation, to the final termination of the system of colonial slavery too long in existence. They had more than eleven years' experience of the effect upon the colonial legislatures of that emphatic expression of the wishes and voice of parliament and the mother country, conveyed in the tone of friendly admonition, and strengthened by the voice of authority, and what was the result? The colonial legislatures were deaf to the voice of friendly expostulation, they seemed to set at defiance the voice of authority. They had doubtless, in some instances adopted regulations since 1823, calculated to ameliorate the physical condition of the slave, but it is was vain to look to any of their enactments which on the face of it proposed to itself the termination of the system of negro slavery. Now it was important to bear in mind that without the hearty co-operation of the legislature, acting on what Mr. Burke emphatically called "the executory principle," it was idle to seek for the termination of the slavery system, unless through the means of the home legislature. The words of Mr. Burke were worth quoting. "I have heard," said he, speaking in 1790 of what the colonial legislatures had done, (in reference to the improvement of the condition of the negro), "they have done little, and that little is good for nothing, because it does not carry with it the executory principle." But to return, to see how far the colonial legislatures carried executory principle into effect in relation to the resolutions of parliament of 1823. In the course of that year lord Bathurst, as colonial secretary, communicated to the crown colonies the wishes, intentions and determinations of parliament, with a view to their adopting such internal regulations, and effecting such modification of their existing domestic usages, as would attain the end contemplated by the mother country—namely, the total abolition of slavery, and the converting the negro into the condition of a free laborer. In the official circular of lord Bathurst it was particularly stated that it was expected that immediate steps would be taken by the local authorities towards the abolition of the Sunday market, and the better observance of the Sabbath, for the admission of the evidence of slaves—for their manumission—for sanctioning slave marriages—for preventing slaves from being separated from their families—for the abolition of corporal punishment at the hands of the master or overseer—and for the establishment of slaves' savings-banks. The resolutions of 1823 were followed up by an order in council in 1824, which, in addition to these intentions of the legislature, added the establishment of a protector of slaves, specified the right of the negroes to possess property under certain conditions, and to demand his manumission upon certain terms, pecuniary and of police, even against the will of his master. How, then, were these resolutions of parliament in 1823, backed by the imperative command of an order in council, in 1824, received by the colonial legislatures? Not a colony, without a single exception, but scornfully rejected them, (hear, hear); not one colony but disdainfully refused to obey the suggestions and determination of parliament and the mother country. (Hear.) Well, matters thus remained—that is, the colonial legislatures persisted in setting the voice of parliament at defiance, till 1826, when Mr. Canning, the subject having been again brought under their consideration, expressed on the occasion his deep regret, and the deepest anxiety, and he, (Mr. Stanley), would add the deepest indignation, at the remissness of the colonial legislatures, in adopting the resolutions of 1823, and acting upon the order of council in 1824. Mr. Canning, however, did not adopt a harsh tone, though far from being satisfied with the result of the measures of 1823 and 1824. He did not call upon parliament to immediately adopt such measures as would bring the "contumacious opposition" of the colonial legislatures to the test, but thought that "a respite"—more time, ought to be extended to them for reconsidering their proceedings; and as a "test of their sincerity" to carry the determinations of parliament into effect, he proposed that certain draughts of bills should be sent out to them for their adoption. This respite Mr. Canning proposed avowedly as a "test of the sincerity" of the colonial legislature previous to calling upon parliament for its effective aid towards punishing its "contumacious opposition." Mr. Canning never for a moment questioned the right of parliament to thus effectively interfere with the colonies; but merely considered that right as an *arcanum imperii*—a constitutional sanctuary, that should only be brought under the public eye in extreme cases. Parliament acted upon Mr. Canning's suggestions, and accordingly eight bills were sent to the colonies to be there legislatively and executively carried into effect, as so many means to the great end which the mother country had so much at heart—the final termination of the entire system of colonial slavery. What was the result? Not a single colony condescended to adopt a single bill out of the entire eight, (hear, hear); and the colonial legislatures raised their voices in lofty indignation at our interference in what they declared to be their exclusive business and concern. This took place in 1826: he was then addressing parliament in 1833; and up to that hour neither the voice of friendly expostulation nor of authority had produced the least alteration in the contumacious conduct of the colonial legislatures—not a single step had been taken by any of them with a view to the extinction of negro slavery. (Hear, hear.) Briefly, then, the account between the colonies and the government stood thus:—

1823—Resolutions of Mr. Canning, which led to lord Bathurst's circular: suggesting—

1. Abolition of Sunday markets.
2. Admission of slave evidence.
3. Sanctioning marriage.
4. Abolition of taxes on manumission.
5. Prevention of slave separation.
6. Regulation of punishments.
7. Establishment of savings banks.

Strong remonstrances from the colonies.

1824—Order in council.

1. Added establishment of protector.
2. Prohibited Sunday labor.
3. Allowed slave property.
4. Compulsory manumission.

Recommended to legislatures and unanimously rejected—(Hear, hear.)

1826—March 1st. Mr. Canning.

Test of sincerity.

Eight bills sent out and rejected by all but Nevis.

1828—Sir George Murray.

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Two circulars-general.
Entirely disregarded—(Hear, hear.)
1830—Order in council, specifying some points, and declaring others to be necessary, as duration of labor, food, clothing, &c.
Also disregarded—(Hear, hear.)

Undoubtedly some of the colonies had gone through the form of carrying the outline of the shadow of some of the laws into effect; but all had studiously avoided the substance, particularly in that important particular, the appointing as a protector of slaves some gentleman wholly unconnected with the colonies, having no property in slaves, and therefore no interest opposed to their moral and political improvement; and, in fact, merely instituted some partial modifications of their own domestic regulations as a mere pretext, by means of which they might elude the real intentions of the legislature. (Hear, hear.) The whole thing was on the face of it a mockery, an insolent mockery, of the wishes and feelings of the mother country. (Hear, hear.) It was true that in one or two of the colonies, as a substitute for the efficient office of protector of slaves, there was appointed what was called a "council of protection." But who constituted that council? Were they persons having no interest in the continuance of slavery, because deriving no profit from it? No, far from it; this "council of protection" of the rights and interests of the negro was composed of magistrates, (two being a council), themselves the possessors of slaves, and therefore having a direct unequivocal interest in the continuance of the present system, and as having this direct and unequivocal interest, imbued with all the prejudices and sinister feelings of slave proprietors. (Hear, hear.) In thus showing the mockery of the wishes and determination of parliament, perpetrated by the colonial legislatures, he did not mean to slur over the few beneficial regulations which one or two of them had made in reference to Sunday markets, and the observance of the Sabbath. They did not, however, by any means, even in this item fully comply with the expressed wishes of the mother country, but certainly evinced a readiness to act upon the spirit of the recommendation respecting the Sabbath. But how was it with respect to the other recommendations of the order in council of 1824? It would be evidently impossible for him to go through the details of all these recommendations—though he was prepared to show that all the colonial legislatures had slighted and set at nought the recommendations of parliament, if any gentleman was anxious to examine the question minutely, so that he would confine himself to the more prominent ones—those involving some principle which might serve as a "test of their sincerity" to promote the views of the mother country. He would begin with the recommendation respecting corporal punishment. The order in council explicitly laid it down that no slave should receive more than a certain amount of corporal punishment (39 lashes) in one day; that female bodily punishment should be abolished altogether, and that a registry of all punishments, crimes, &c. should be kept by the master and overseer, to be submitted to the protector of slaves, who was then to make his report to the colonial secretary. How were these recommendations acted upon by the colonial legislatures? Here, at least, was a definite and tangible test of their sincerity. Here were recommendations, one of which especially came recommended by every principle and feeling dear to human nature; so that if there existed, on their part, the slightest disposition to co-operate with parliament in the amelioration of the condition of the negro, here was a graceful opportunity. If there was any one recommendation which appealed more than another to the manhood, the humanity, the honor of the colonial legislatures, it surely was that of the abolition of the corporal punishment of female slaves. (Hear, hear.) It was with a spirit, God knew, not of bitterness, but of deep regret and sorrow, that he had to state that up to that very hour not a single colony had abolished the practice of the corporal punishment of female slaves. (Loud cries of "hear.") In some of them, it was true, certain restrictions had been imposed, but in those very restrictions the principle of the right and justice of the punishment was distinctly recognized; and in others, where some regulations respecting the decency of the sex were adopted, the practice was unequivocally maintained. Talk of improving the social habits of the negro as a means and essential condition of his political improvement—talk of developing and culturing his moral faculties, in the face of this monstrous abomination (cheers)—talk of inducing a habit of respect and reverence for the laws, of teaching him to behold in his white master a guardian, a moral guide, an intellectual instructor, while his wife, daughter, or sister, was at the mere mercy, the wanton caprice, of some overseer, who might any moment inflict on that wife, daughter, or sister, degrading bodily punishment on her bare person (continued cheers)—talk, he repeated, of their improving the negro as a moral being and as a subject of the laws, while they themselves perpetuated a practice, the test of barbarism, of fierce brutal savagery—that test which separated the civilized man from the barbarian—the inhuman treatment of women (great cheering)! How could a negro with such degrading and demoralizing facts staring him in the face, improve as a moral being, and a member of political society? (Hear, hear.) The supposition was a mockery—a cruel insult. (Cheers.) Connected with the subject of the corporal punishment of the negro, he would refer them to the regulations of the Jamaica legislature. He had stated that 39 lashes were the maximum of bodily punishment that could be inflicted upon one slave in one day; but what was this without some check or restraint upon the person who might inflict this restricted amount of punishment? They had the evidence of a gentleman (whose name he did not then recollect) who had been himself an overseer, that he "might inflict 39 lashes if he liked, merely for looking at him in the face." (Hear, hear.) Was this the way to teach the negro to respect the British laws, to prepare him for the immunities of a British subject? Was it thus that he was to be enabled to take his stand amongst the human race? Was it thus that he was (to quote the words of Mr. Canning) to be taught—

——————"Cœlumque tueri
"Jussus, et erectus ad sidera tollere vultus?"

How—how, he would ask, in the name of common sense and common humanity, could it be expected that the moral eye should be trained to the contemplation of moral beauties while the physical eye was daily outraged by the sight of the sufferings and degradation of their negro fellow-beings? He did not himself believe that this arbitrary power of inflicting bodily punishment on the negro was wantonly abused by the master, but he must deprecate its very possibility, and still more must he loudly condemn the mockery of redress which was held out to slaves who might feel themselves unjustifiably punished. Was the committee aware of the means which the negro had of redressing himself if wrongfully punished? He might go before two magistrates—not, mark, a protector of slaves, having no property in slaves nor interest in the continuance of the abuses of the present system—but two magistrates, themselves slave proprietors, and therefore interested in punishing slave delinquency and slave contumacy. If these two disinterested gentlemen agreed that the slave had established his case, and could substantiate it before a jury by valid evidence, they permitted him forthwith to go before a jury; but if the slave could not bring forward what these gentlemen conceived to be valid evidence, he was encouraged to seek for justice at the risk of being again flogged if he failed in his evidence. (Hear, hear.) And this was, in cruel mockery, called "the slave's redress against the cruelties of his master." This was his encouragement to seek for the protection of the law against a slave proprietor! (Loud cries of "hear.") But even that was not all. Suppose on the other hand, that the slave had established, by evidence, a case of cruelty against his master; what was his redress now in Jamaica? Why, he was sold to some other tender proprietor, and the proceeds were handed over to the cruel master against whom he had, at such risk, obtained a verdict. Then, again, with respect to negro property, though the order in council of 1824 distinctly specified the right of the slave to enjoy property, under certain defined circumstances, the several local legislatures so multiplied restrictions and qualifications that the order in council, so well intended and sound in principle, was in most of the colonies altogether nugatory and inefficient. He had forgotten to state that some of the colonies had facilitated, or rather removed obstacles in the way of negro marriage; but the regulations on this head were chiefly of a physical character, and the negro entered the marriage state without being made previously aware of the moral and religious obligations of the state of wedlock. The next point he would call their attention to was that of slave evidence, in reference to which the proceedings of the colonial legislatures were characterised by the same spirit of scorn and mockery that he had been pointing out in relation to the recommendations and order in council of 1823 and 1824. The order in council prescribed that the evidence of slaves should in all cases be admissible in courts of justice, care being taken, as in the case of infants and persons of imperfect intellect and education, that the negro (a full grown infant to all practical intents) should be thoroughly examined, and proved to understand the obligation of an oath and the effects of his evidence, the onus of disproving his competency being thrown on the party against whom he sought redress. How was this just and wholesome rule followed by the colonial legislatures? In but two of them (as we understood the right honorable gentleman) was slave evidence admissible at all, and in none against his master, or against a white. (Hear, hear.) Even against a fellow-slave a certificate of a magistrate or a clergyman, according to circumstances, was necessary to his being permitted to give evidence.

He had stated that a slave could not give evidence under any circumstances against his master—(loud cries of "hear")—nor in any capital case against a white man.—(Hear.) Now, in the name of common justice, and our common nature, how could it be justified that evidence might be given which would bring a negro to the scaffold, and yet refused against a white man even in a civil case? Either the evidence in the former case was valid, or it was not. If it was, why should the white master be beyond its reach; if it was not, why should the fellow slave be its victim? He had stated that, as a general proposition, no slave evidence could tell against a white man. There was an exception, which, however, but strengthened the rule—a negro's evidence would be received against a white man in any case in which a white might be alleged to co-operate as an accomplice with a black in any resistance of a master's oppression; but in no other case save one, involving an attack upon another white, was a slave's evidence admissible. And this, again, was justice, and teaching the slave to reverence the law, and to revere the white man as a moral guide.—(Cheers.) The negro was taught, and painfully made to feel, that though his evidence might hang a brother slave, it could not affect a white man's property to the extent of a shilling, and yet he was discontented with the tender mercies of his white protector! Was not the whole system, he repeated, a cruel mockery?—(Hear, hear.) The last point

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on which he would comment, in relation to the order in councils of 1824, was the manumission of the slave—a principle which alone protected him against the effects of despair by gilding the horizon of even of his blackest fortunes with the bright hues of hope, and the expectation of days of freedom, ease and independence. The order in council laid it down that the slave should be entitled to demand his manumission on the payment of a certain sum to his master. In all the colonies, with the honorable exception of the Bahamas, this order in council was very partially effective; though he admitted in some of them improvements and facilities had been adopted with respect to the fees on manumission, but in none (save the Bahamas) was the slave's right to demand his manumission, on the payment of the stipulated price practically recognized, the power and discretion being entirely vested with the master. Having thus briefly touched upon the various heads under which the orders in council of 1824, and the resolutions of parliament in 1823 and 1826, were applied to the West Indian colonies, he would leave it to the house to judge for itself how far those colonies had manifested a disposition to carry the wishes and determination of the mother country into effect, confident that there would be but one opinion—namely, that if ever there was a case which justified the exercise of the paramount authority of parliament, it was when, as in the present case, every means of friendly remonstrance and authoritative warning had been exhausted in vain. (Hear.) He would here read a passage bearing on this point from a speech of Mr. Canning, delivered in 1799, in answer to sir William Young. "The hon. baronet contended that the colonial assemblies, and not the British house of commons, were the agents most proper to be employed. But what was the hon. baronet's argument? 'Trust not the masters of slaves in what concerns legislation for slavery!—However specious their laws may appear, depend upon it they must be ineffectual in their application—it is in the nature of things that they should be so.' Granted," said Mr. Canning in reply. "Let, then, the British house of commons do their part themselves! Let them not delegate the trust of doing it to those who, according to the hon. baronet's testimony, cannot execute that trust fairly. Let the evils of the slave trade be remedied by an assembly of freemen, by the government of a free people, and not by those whom the hon. baronet represents as utterly unqualified for the undertaking, not by the masters of slaves! Their laws, the hon. baronet had avowed, could never reach, could never cure the evil. So that, according to the hon. baronet's argument, if there had even been no doubt upon the face of the papers upon the table, of the sincere intention of the colonial assemblies to carry the wishes of this country into effect—if there had been no doubt that the termination of the trade was the object for which the regulations (such as they may be) were intended—if there had been no doubt that these regulations were, in fact, calculated for the purpose—if the assembly of Jamaica had professed as distinctly its anxiety to terminate the trade, as, in point of fact, it had expressed its resolution to continue it—still, according to the hon. baronet's argument, no trust could be reposed in these professions and appearances. There was something in the nature of absolute authority in the relation between master and slave which made despotism, in all cases and under all circumstances, an incompetent and unsure executor even of its own provisions in favor of the objects of its power." Could any language be more applicable, or sentiments more appropriate to their present purpose of abolishing slavery, than these words of Mr. Canning in reference to the abolition of the slave trade? If, in 1799, Mr. Canning thought parliament justified in interfering in its paramount character, surely the experience of 34 succeeding years did not invalidate that paramount authority? He did not pretend to then enter minutely or discuss gravely the constitutional question where the right of parliament to interfere in the internal regulations of the colonies began, or where it terminated. He knew of no law or boundary line which restricted the united parliament, save such as it imposed for the time being itself; and he left it to those (if such there were) who held that parliament did not possess the paramount right of interference, to point out in what charter of what colonial assembly was there an exception to this imperial legislative control—and to show by reasons and argument that a delegated authority could or should exceed in its power and privilege the delegating authority to which it owed its existence. It was true that in 1778 parliament did formerly restrict itself in reference to the internal regulations of such colonies as had a colonial legislature, but that was not an abandoning of its paramount power so to interfere, but suspending or rather delegating it under certain expressed conditions, and for a definite purpose. It did not even then cease to interfere in the regulations of trade in those colonies, and on no occasion which called for its internal interference did it hesitate to exercise its authority. It acted on the principle of internal interference in 1700, (as we understood), when a commission was sent out to the colonies to try cases of piracy and robbery on the high seas, which commission superseded all the local tribunals, including their local legislatures, under the penalties in the event of their attempting to interfere with the working of the commission. Then in 1732 a petition was presented to that house from merchants trading with Virginia and Jamaica, complaining that the local legislatures of those colonies had exempted slaves, houses and other property from executions for debt. It would be impossible to cite a case more strongly involving the principle of paramount legislative interference in the internal affairs of our colonies than this petition.

The board of trade tried at first to induce the colonial legislatures themselves to abolish those exemptions; but they failing, an act was passed the 5th of Geo. II. which declared houses, slaves, &c. to be liable like other colonial property, to executions for debt. He felt unwilling to trouble the house by citing instances of the interference of the mother country in the internal affairs of the colonies, but could not avoid referring them to the doctrine laid down on this head by Mr. Otis, the president of Massachusetts, in 1765. The right hon. gentleman here read a passage from the manifesto of Mr. Otis, to the effect that "the mother country possessed the right, and was bound to exercise it, of interfering in the regulation of all its colonies and dependencies for the good of the whole—that she alone was the judge of the propriety and time of this interference—and that from her final determination there was no appeal." (Hear, hear.) He could not be charged with having confined himself to the precedents of England after this declaration of an American. But here he thought it right to observe that many hon. members permitted themselves to be led away by an assertion frequently urged by the more zealous advocates of what was called the planters' interest. It had been said by these gentlemen that if the colonies had been left alone, and to their own internal government, all would have gone on smooth and well between the master and the slave—that both would have been happy and prosperous, but for the perpetual agitation of the question of negro slavery in this country, which had so tainted West India property as to seriously lower the planter's profits and thereby tend to the injury of the slave. Now, no man was more sensible than he was of the depth of distress in which West India property was just now placed, as no man was more aware of the strong colors in which that distress had been portrayed by the holders of that property themselves. He did not mean to accuse these representations as being exaggerated, and highly colored for the occasion, and therefore would receive the picture as they themselves had drawn it, prepared, however, to maintain that it had no connexion whatever with the proceedings of parliament since 1823, to which he had just called their attention. The right hon. gentleman here read a statement put forth by the West India interest, from which it appeared that the mass of West India property was mortgaged, and that the mortgagees were afraid to foreclose, lest they should become, unhappily, themselves proprietors of West India property. Now, he repeated, he did not mean to deny the truth of this statement; all that he begged to direct the attention of the house to was the period when it was issued. What then, was that period? Was this picture drawn of the state of the West Indies since 1823? Was this a picture of the state of the colonies since the abolition of the slave trade in 1807? Was it a picture of the ruin entailed on the property of the West India planters by the efforts of the abolitionists to suppress the slave trade, and put an end to the system of slavery? Did it refer to a period subsequent to 1823? No! This picture of unmitigated distress—of annihilated credit—of ruined hopes—and of the impossibility of continuing the cultivation of the soil, referred to the high and palmy days of the slave trade, and was contained in a report of a committee of the house of assembly of Jamaica, dated November, 1804. (Hear, hear, hear.) Such was the account given at that time of the condition of the West Indian colonies, by the very class of men who now declared that all their distress was owing to one single cause—the fanatical agitation in the British parliament, which threw a taint on their property in 1832. (Hear, hear, hear.) Equally strong evidence had been given before the committee of the house of commons, proving that the West Indian property had always been liable to sudden and extreme fluctuations; speculations had been embarked in with the utmost recklessness; which had been the cause of the greatest embarrassment to the planters, who acting upon the notion of the necessity of continuing slavery, had only increased their distress by the means which they adopted for their own relief. It was thought important to continue the exportation of sugar, and the consequence was that the quantity exported, which in 1803 was 1,430,000 cwt. was in 1831 raised to 3,787,000 cwt. One cause of the distress of the West Indian planters was, that possessing the monopoly of the English market, they had gone beyond its wants; and they could now no longer obtain such a price as would repay them for the cultivation of their estates. The amount of sugar imported at present exceeded the amount of consumption by 1,000,000 cwt. annually. (Hear, hear.) The consequence of this enormous excess of supply over the demand was, that the monopoly was, as respected the planters, a dead letter; and the price of the produce in this country was necessarily regulated by the price of the same article in the European markets. Nothing therefore could effectually relieve their distress short of enabling the consumption of that country to come up to the produce of the colonies, or of reducing the amount of production in the colonies to the amount of consumption in this country. New soils and new lands had been brought into cultivation, and the consequence of this was, that additional expense was thrown on the cultivators of the old soils. To meet their engagements, and to enable them to pay their debts, they were compelled for the same amount of money to raise a still larger amount of produce. The increased amount of produce diminished the price which the article bore, and, thus running continually in a vicious circle, one embarrassment led to expedients to give temporary relief, which, in the course of events had only the effect of doubling the evil. (Cheers.) It was not his intention to have gone into this part of the question, but he was led to notice it in consequence of the assertion, which was

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so frequently made, that the distress of the planters was the fruit of agitation alone, and not the necessary result of the state of slavery, and the system of cultivation, he would not say adopted willingly by the present proprietors, but forced upon them by circumstances. But supposing that agitation were the cause and only cause of the present distress among the West Indian proprietors, he turned round again and asked "where is your remedy?" It was very well to say "we will exclude from the island all knowledge of what passes elsewhere," but he would tell them that they could not do that. (Hear, hear.) They could not prevent the voice of the country being heard within the walls of that house; they could not prevent the debates within those walls from being read throughout the country; they could not prevent the report of those debates spreading far and wide; they could not prevent the knowledge of what was going on in this country from reaching the colonies themselves, and from penetrating into the minds of the slaves, aggravated by the incautious comments and language which they found applied to those debates. If, therefore, they wished to stop this agitation, and put an end to this danger, their only course was to advance. (Cheers.) They must remove the cause of agitation and of complaint, the voice of which was now heard, and would continue to be heard as long as the house of commons did not, in accordance with the wishes of the country, take decided and effectual measures for declaring that the system of slavery should cease. (Cheers.) If he should be told that the course he was taking was unsafe, and that, indeed, there was no course he could pursue which was not full of danger to the colonies and this country, he would reply, that of all the dangerous plans that could be adopted, the most likely to entail ruin and destruction on the colonies and the mother country, was the system, now happily impracticable of standing still at the present juncture, instead of at once acting fearlessly and decidedly. (Cheers.) This was not the only case in which the best mode of avoiding difficulties was boldly to face and grapple with them, and in which a timid attempt to shrink from the danger they were afraid to meet, and appalled to look at, only aggravated the reality of that danger, and rendered it impossible for them successfully to cope with it. (Cheers.) Various objections had been raised against any precipitate and hasty measure; indeed, against the taking of any steps for the conversion of the slave population into a population of freemen. In the first place, it was said that the effect of any such measure would be greatly to diminish the amount of production, and to render the cultivation of sugar impracticable. The colonies would consequently be thrown up, and the planters involved in absolute ruin. Now, as far as the amount of the production of sugar was concerned, he was not certain that it would not be for the benefit of the planters and the colonies in the end, if that production, were in some degree diminished. But the question for the members of that house to consider was, whether, looking at the statements which he should have the honor to lay before them—and he should state facts and figures which could not be denied—they would encourage and support a system by which this extent and amount of production was kept up.

He would cautiously abstain, as far as the nature of the case allowed—at least such was his intention—from using any irritating expressions, or of availing himself of any popular topic of declamation, his object being to have this question deliberately and calmly discussed, rather than to excite the feelings of the house by statements of individual cases, which would prejudice the general question, and only tend to an acrimonious discussion; and he trusted that every gentleman who followed him in the debate would so far do justice to the subject under consideration as to abstain from quoting individual cases. (Hear, hear.) But it was his duty to lay before the house papers with respect to the production of sugar, the labor exacted to produce it, and its effect on the population, which he believed would produce such a strong impression as to induce the house to believe that the time was now come when, for the sake of humanity alone, they ought to step in for the purpose of limiting and regulating the extent to which the slave was at present called on to labor. (Hear, hear.) He held in his hand a comparative statement, with reference to six West India colonies, showing the decrease or increase of the slave population, and the amount of the production of sugar within those islands during the same period. The account was extracted from an official statement in the *triennal registry*, and was, therefore, open to no objection on the score of inaccuracy. Allowance was made in it for every importation and exportation, and for every manumission; it gave the apparent, and also the real increase and decrease, during three periods of three years—namely, from June 1823 to June 1826; from June 1826 to June 1829, and from June 1829 to June 1832; and likewise the average amount of the slave population and of the production of sugar during the same periods. He ought, however, to state, that with respect to the last period all the returns had not yet been made. He found by this document that, with two exceptions, and even they bore out the statement—in all those islands there had been a gradual increase in the production of sugar, and a corresponding gradual decrease in the amount of the laboring population. (Hear, hear.)

In the island of Jamaica the average quantity of sugar annually exported was, for the first period 1,358,448 cwt. for the second, 1,389,576 cwt. and for the third, 1,410,626 cwt. The number of the slave population was, during the first period, 334,393, and during the second, 327,464. The return of the number in the third period had not yet been completed. The island of Demarara afforded a frightful proof of the destructive effects which the amount of labor compelled from the slaves had on the population. In that island the quantity of sugar exported during the three periods was, respectively, 652,336 cwt. 662,655 cwt. and 806,120 cwt. while the slave population had constantly decreased during the same periods. In the first the number was 72,722; in the second, 71,005; and in the third only 67,741. (Hear, hear.) Thus in the last period 67,741 slaves produced 806,120 cwt. of sugar, while in the first 72,722 slaves were required to produce 652,336 cwt. (Hear.) In Berbice the slave population amounted in the first period to 22,074 in the second to 21,246, and in the third it had decreased to 20,831; while the exportation of sugar during the corresponding periods amounted to 58,655 cwt. 64,230 cwt. and 94,312 cwt. showing a frightful increase in the production compared with the amount of the population. (Hear, hear.) The account with respect to St. Lucia, showed a similar result. The number of the population the first period was 13,909; during the second, 13,860; and during the third, 13,687; while the amount of sugar exported was, during the first period, 77,976 cwt. during the second, 87,410 cwt. and during the third, 88,778 cwt. In these four islands, therefore, the amount of the negro population had fallen, while the amount of production had gone on continually increasing. (Hear.) He had mentioned that there were two exceptions, and there were the islands of Trinidad and Barbadoes. In the former there had been a trifling increase in the population as well as in the amount of production; but it must be taken into consideration that there was a great influx of free laborers into this island from the Spanish main. With respect to Barbadoes, the amount of sugar exported during the first period was, 320,795 cwt. and during the second 299,456 cwt. while the population was during the same periods respectively 79,848 and 81,347. He therefore conceived that he had proved as plainly as could be done by figures, that whenever there was a forced increase in the production of sugar, whether occasioned by the distress of the planters, or by any other cause, it was necessarily attended by a sacrifice of human life, and a diminution of the slave population. (Hear, hear.) He could not help reading another statement with respect to Demarara, which placed in a more striking view the frightful effect which this forced increase in the production had on human life. The statement to which he alluded pointed out the age, quality and strength of the slaves, on whom this great mortality had fallen. He might perhaps be told that the decrease which had taken place in the slave population was the not yet-recovered-from effect of the stoppage of the slave trade. But he found in this document that there was a decrease in the number of children under ten years of age, which could only be accounted for in one way—the increased labor and diminished productiveness of the parents. As compared with 1817, there was a decrease in the number of slaves under the age of 40, of 23,644; and between the ages of 30 and 40, the time at which labor was most severe, the present population, as compared with its amount in the same year, had experienced a diminution of 11,653; while, on the other hand, an increase had taken place in the number of the slaves, who had passed that age, and were considered unequal to any great labor. He did not think that he need add any thing to this statement, (hear, hear), but if it were necessary for him to do so, he could refer to returns, which had been carefully examined, and which showed the decrease of population on cattle farms to be 2 per cent. among unattached slaves, 1½ per cent. on coffee farms, 3 1-10 per cent. and on sugar plantations 5½ per cent. (Hear, hear.) On cotton plantations there had been no decrease, but an increase of 1 6-10 per cent.

He had now shown that increased production was accompanied by decreased population: that the decrease of population fell heaviest on those classes from whom the severest labor was exacted: and he had now only to show the mode in which this labor was exacted by the increased severity; the recorded punishments in Demarara were 17,359, the number of slaves being 60,599. In 1830, the number of slaves had decreased to 59,547, while the number of punishments had increased to 18,324, and the number of lashes inflicted in that year was no less than 194,744. In 1831, the population had still further decreased to 58,404, but the punishments had increased to 21,656, and the number of lashes amounted to 199,507. (Hear, hear.) Now, let the house bear in mind, that this was the official record of punishment, not including the punishment inflicted by judicial authority; or on reference to magistrates, because there existed no return of this latter sort, but inflicted in one of the crown colonies, under the improved system, and under the check of the record. (Hear, hear.) It was a return given by the masters of the slaves themselves, of the extent of despotic and irresponsible punishment, inflicted by their own authority, amounting in one to almost 200,000 lashes. (Hear, hear.) Without desiring to impute any cruelty to the planters, he called on the house to consider what must be the amount of unrecorded punishment in colonies where the same protection was not afforded the slave, as in this comparatively free colony of Demarara, and what the extent of unredressed injustice, and of bitter oppression; and he was sure that the house would not refuse to interfere, and to interpose its supreme authority between the oppression of the slaves and what Mr. Canning called "the abstract love of the cart whip." (Hear, hear.) They were told that it would be impossible, under any other system, to render slaves industrious; thus, all their legislation proceeded on a mistaken notion; that they knew not the condition of the colonies, and that they were absolutely ignorant of what those gentlemen pleas-

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ed to call the "negro character." He conscientiously believed that any man who chose to take the pains of informing himself upon the subject, might form a better and clearer idea, because a more unprejudiced one, of the "negro character," than those men who had passed their lives in the West Indies. (Hear, hear.) The latter individuals made this palpable mistake: they attributed to the character of the negro those faults which necessarily resulted from the moral degradation of slavery. He believed that it might be proved, that the negro under proper inducements, would be found neither less inclined to be industrious or to accumulate property than those whose lot it was to wear a fairer skin. (Hear, hear.) But they were told with an air of triumph, to look at the manumitted negro; and they were asked to point out, if they could, twenty instances of manumitted slaves engaged in field labor. In reply to this objection he would ask another question; and he called upon these objectors to produce him twenty instances of field laborers who had been manumitted. (Hear, hear.) The fact was, that the manumitted slaves mostly belonged to one class, and that not the class of field laborers. Within a period of ten years, commencing in 1817, there had been 14,163 slaves manumitted, and hardly an instance could be produced of a field negro among the number. (Hear, hear.) Two-thirds, if not three-fourths, were females, a fact which spoke for itself; for it was not difficult to understand to what class of females they belonged, and what inducement the planters had to liberate them as well as their children. (Hear, hear.) If it could be proved the manomissions occurred only among domestic slaves, mechanics and tradesmen, it was not extraordinary that no case could be discovered of their applying themselves immediately on their manumission to the most degrading and fatiguing occupation of field labor. (Hear.) The fact of the case, then, destroyed the inference which was sought to be drawn from it. (Hear, hear.) If an instance was shown of a manumitted field slave who would not work, he would then admit that a *prima facia* case was made out by those who asserted the incapacity of the negro for freedom; but if this argument was good for any thing—if it was to be considered conclusive, it was an argument against the abolition of slavery within any definite period—not merely within the next 10 years but within the next 100 years. (Cheers.)

It was said that the slaves were at present unfit for freedom, because they had no domestic ties, and no habits of industry; and that they would be utterly ruined if thrown on the world to act for themselves. Continue them, then, it was said, in a state of slavery until they were fit for liberty. His answer was, that they would be kept in a state of unfitness; that they would be debarred from acquiring industrious habits and the ties of family; and they would be told that they must on those accounts remain in a state of slavery. (Hear, hear.) It was also said that they were unfitted for a participation in the blessings of liberty because they had no education, no religious feelings, but were ignorant and brutal. If this charge was just, on whom did the guilt fall? (Hear, hear.) Who was to blame that the negro was still ignorant, if so he was, and that he lacked industrious habits? Was it not those who regarded him from the childhood to the grave, and from generation to generation, as a mere laboring animal, who took no pains to cultivate his mind and raise his moral feelings; nay, more, (and he spoke it to the shame of a Christian age and a professedly Christian country), who were permitted to deprive the negro of the means of religious instruction, because they feared it was incompatible with the maintenance of a state of slavery. (Hear, hear.) But assuming that religious instruction was inconsistent with the continuance of slavery, would that house shut out the light of gospel truth, and stifle education on purpose that at all hazards and at all risks the system of slavery might be preserved? (Cheers.) He believed that from the state of most of the colonies belonging to other countries they might draw a lesson of deep censure to themselves. In the Catholic colonies the greatest attention had been paid by the priesthood to the religious instruction and education of the slaves. In some of these colonies it was a regulation that no man should be at liberty to keep a slave, unless he could prove that he had taken pains to instruct him in the principles of the Catholic religion. Had any such system prevailed in the English colonies. (Hear, hear.) He had no wish to touch on any point of an irritating nature, nor to refer further to the obstacles which had been put in the way of the spread of religious instruction in the colonies; but this he would say, that that house would ill discharge its duty if it did not put forth its authoritative declaration, that throughout all the possessions of his majesty the benefit of religious instruction, and the free choice of religious worship, should be left undisputed to all classes of the king's subjects. (Cheers.) In contradiction of the assertion that the habits of voluntary industry were denied by nature to the negro, he begged to refer to the evidence given before the committee by Mr. Lovell, himself a man of color, and originally, he believed, a slave. [The right honorable gentleman here read a short extract from the evidence of Mr. Lovell, to the effect, that a number of liberated negroes in Antigua had worked for themselves with great industry, had accumulated some little property, and purchased dwelling houses.] He would also appeal in support of his argument to the experience of a gallant admiral in that house, who knew, from personal observation, that free labor in Bahama, had been attended with a similarly good result. Dismissing St. Domingo from his consideration, because he did not think, when the peculiar situation of that island was looked to, arising out of the revolution which occurred in that place, it could be fairly taken into the argument, though he could state that sugar was cultivated to a great extent even there; he would state to the house the only practical example which the world afforded of the emancipation of a slave population effected on a large scale, and with comparatively entire success. Since the plan of government had been before the country, he had had an opportunity of conversing with the vice president of the republic of Venezuela, who had been a protector of slaves in the Caraccas, on the subject; and he learned from that gentleman that in 1821, Bolivar having determined on adopting a general system of emancipation, a council was formed of persons of high station, to purchase, according to a tariff of value, the freedom of slaves out of funds raised from a tax on the property of persons dying intestate. They first of all liberated those who had borne arms in the cause of their country, next the aged and decrepid, and afterwards they preferred such as were remarkable for industrious and moral habits. In 1821 there was 100,000 slaves in Venezuela, and at the present moment there were only 25,000. The effect of the manumission, he was told, had been most happy. The freed slaves were industrious and felt no degradation in associating with those who had not yet gained their liberty; while on the part of those there was no jealousy, because they felt that their hour of freedom was approaching surely, though perhaps slowly. The freed slaves had no reluctance to engage in agricultural employment; and the consequence was, that the agriculture of the country was increasing in prosperity every day. He was also informed that sugar cane which before was not cultivated, was now produced in great abundance; and that rum was exported to the neighboring islands, and to the British possessions of Trinidad, and sold in the Trinidad market, under the name of the best Jamaica rum. (Hear, hear.) Having stated what he conceived to be the circumstances under which the question was now placed—the circumstances which rendered it impossible for us to stand still, and which also made it impossible for us to proceed onwards without incurring some danger, the events which had recently taken place in the colonies, the facts as they stood recorded in their official documents, the repugnance of the colonial legislatures to take any effectual measures, and the necessity which existed for parliament's proceeding cautiously and gradually, but firmly and resolutely, to the complete and final attainment of the one great object which the country now had at heart—he meant the ultimate extinction of colonial slavery—having stated all this he would now proceed to lay before the committee the means by which, in his opinion the great transition from slavery to freedom might be effected with the most certainty and the least danger. He would preface the statement which he was going to make by observing that the vote to which he should call upon the house to come that evening, would not, of necessity lead any member to acquiesce in all the details of the plan which it would be his duty forthwith to submit to their consideration. Those details would sketch the outline of the proposal which it was now his business to make to the house, but which in its future progress would be susceptible of much modification and amendment. He held, that in a plan of this kind, embracing objects so important and so various, there was an absolute impossibility that any government could devise a measure which in all its parts should be unexceptionable—which should not be liable to many great and grave objections, and which should not be capable of receiving many amendments from the advocates of the different interests which would be affected by it. He thought that by submitting it to their calm and dispassionate consideration, and by endeavoring to reconcile the conflicting interests and claims to which it was likely to give rise, they would be enabled to accomplish the hallowed object of extinguishing slavery in every country which owed allegiance to the British crown. The honorable member for Weymouth, in the year 1823, had made a proposal to this effect—that, after a period to be limited by law, the children of all slaves born in the British plantations should be declared free. That was the extent to which the proposal of the honorable member for Weymouth then went. He stated that that was all he wanted, that he asked for nothing more—that it would be the consummation, the full consummation, of all his wishes. He had even gone so far as to declare that that proposal, if carried, would secure the speedy extinction of slavery. The memorable expression which the honorable member for Weymouth had then employed, was this: "I call upon you not to go back, but to abstain from going forward—call upon you not to retrace your steps, but not to advance them—I call upon you to make no further slaves, and I demand that every child, hereafter born of slave parents in any part of the British dominions, should be entitled, from the hour of his birth, to all the rights and privileges of a freeman." Now, to the entire and full extent of what the honorable member for Weymouth, in the year 1823, declared to be the consummation of his wishes, his majesty's government were now prepared to go (hear, hear); but under certain limitations, which they had devised to avoid the danger which was no less distinctly than eloquently pointed out by Mr. Canning, in the speech which he delivered on this question in the year 1822. Mr. Canning argued—"What! will you consent to place the future generation in a situation so much more enviable than that in which you place the present generation? Will you consent to elevate the child by the degradation of the parent? Will you, as it were, invert the feelings which ought to subsist between the parent and the child, by saying that the child shall be entitled to its freedom from the hour of its birth, but that the parent shall be condemned to the

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hour of his death to a state of hopeless, irremediable, irretrievable slavery?" The house on that occasion, felt the force of the argument which Mr. Canning addressed to it, and left both parent and child in the same degraded and degrading state of slavery. He (Mr. Stanley) trusted that the house would also f[...]w.
the force of that argument now, but in a different point of [...] still,
He trusted that it would feel that it was not safe to s[...] and that
either for the present or future generation (hear, hea[...] declare the
it would say to the planters, "you must not g[...]e, you must also
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out at once, by one [...] slave was at present bound. He would
shackles by which [...]a state of unrelieved and unmitigated slave-
not fling him fr[...]of absolute and unrestricted freedom, for which
ry into a sta[...]its and his past feelings had rendered him totally
his past [...]But in saying this, did he mean to say that the slaves
unfit to remain as they now were for 1, 3, 5 or 10 years, and
[...]t then they should be free unconditionally and without reserve? Perhaps he might see more danger in that course than other gentlemen did; but certainly as at present advised, he was not inclined to adopt it, for he thought that a period in which the slave was left in such an undefined, unlimited and uncertain condition, would be a period of anxious irritation to all parties—that it would be a period of great excitement, and probably of much danger, above all, that it would be a period of unmitigated authority on the part of the master, and of determined and irresponsible disobedience on the part of the slave. (Cries of hear hear.) He proposed what he considered to be a middle, and, therefore, a safer course, which, while it got rid at one swoop of all the restrictions which had been woven by the colonial legislatures to fetter the rights which they professed to give, would leave the negro at liberty to benefit by the exertion of his own talents and his own industry—would give him an incentive to regularity and assiduity, and would afford him an opportunity of forming those habits of frugal labor, of which at present he stood much in need. He proposed that every negro should from that day—or perhaps he ought to have said from the day in which this act should be passed—be entitled forthwith to claim to be put in such a situation as would entitle him hereafter to claim all the rights and privileges of a freeman—a situation in which he would no longer bear about him any taint of a servile condition—in which he would be released from all dread of irresponsible corporal punishment—in which he would be in the full enjoyment of all his domestic ties and comforts—in which he would not be compelled to see his nearest and dearest connexions insulted by the whip, or by the threat of the whip—in which his evidence would be received in all courts of justice, either for or against his employer, as freely as that of any of his majesty's subjects—in which his right to property, acquired or bequeathed, would be full and undisputed—in which he would enjoy every privilege of a freeman, subject only to this restriction, that he should be under a contract to labor for a certain time industriously for his present owner, who would then only be his employer. (Hear, hear.) Perhaps it would be as well for him (Mr. Stanley) to meet here the objection—"How will you deal with the multitudinous restrictions with which the colonial legislature has fettered the slave?" He would sweep away all those restrictions at once by declaring the negro a freeman. From the moment he was declared a freeman, the restrictions which applied to him as a slave would cease to apply to him in his capacity of a freeman. The negro, being no longer a slave, would be entitled to contract marriage—his evidence would be indisputable—his right to property would be admitted—he would be entitled to seek the religious instructor he liked best—and, in a word, as he (Mr. Stanley) had said before, he would enjoy every privilege of a freeman, upon the condition of consenting to labor for a given time upon a particular soil.

He could not believe that if the matter merely stood thus, this proposition could be considered such an infraction on the freedom of labor as would hold out a temptation, even to the sturdiest advocate of unqualified emancipation, to hesitate in giving his assent to the boon of freedom, coupled as it was with these restrictions; for any man of common reflection must see, that under this system slavery must in a few years vanish from the king's dominions. He called upon the house to contrast the condition of the agricultural laborer in this country with the condition in which the negro laborer would be placed under this new system. In England the agricultural laborer worked hard for a pittance which, God knew, was scanty enough; he was distracted with cares for the subsistence of his wife and family; he labored diligently and hardly, in order to earn a sum which was barely sufficient to provide him with food and clothing. Now what was the condition in which the resolutions which he held in his hand would place the negro laborer? He would be made to enter into a contract, by which his master would be bound to give him food and clothing, and such allowances as were now made to him by law, or to give him in lieu thereof a pecuniary allowance. For this consideration he would be called upon to work for his master three-fourths of his time, leaving it to be settled between them whether that should be for three-fourths of the week or of each day. The remaining fourth of his time he would be at liberty to transfer his labor, if he so thought fit, elsewhere; but if he were inclined to give it to his master, his mast[er] would be obliged to find him employment according to a f[ixe]d rate of wages. One of the great difficulties which environed this question was, how they were to fix this scale of wages for free labor? How could any man in this country fix a rate of wages which would be applicable—he would not say to all the islands, but—to any two of them? Could the house say that it would fling this question loose to the world—that it would leave the negro to work or no, as he pleased, and to satisfy himself, as a man easily could in a tropical climate, with a bare supply of the necessaries of life? In some of the islands it might be difficult to obtain even that; but in those where the quantity of land unoccupied was as great as the fertility which distinguished it, the wants of men living in a tropical climate would be so few, that it would be impossible, under a system of free and unrestricted wages, that the state of society, as it now existed, should not come to an entire cessation. (Hear, hear.) But it had been asked, whether the wages so given would be a sufficient inducement to the negro in the present state to give himself up to continuous labor for so many years? Now he had already told the house that he did not give the slightest credit to what he so often heard said about the negro character; but he did give credit to what he had heard about the slave character. He knew, too, the effect of a tropical climate—he was aware how far it went to damp exertion and to paralyse activity—but he likewise knew the effect of slavery, and that it was calculated to promote this idea, that as the greatest of human curses was labor, so the height of human bliss was relaxation from labor. To remove the slave suddenly from labor, and to place him in a situation in which he would be called to provide for nothing more than the necessaries of life, would be to extinguish labor—would be to extinguish civilization—in a word, would be to fling before the negro population the desire to recur again to savage life. He contended that some restrictions in that measure were necessary, not only for the security of the master, but also for the welfare of the slave. (Hear, hear.)

He appealed boldly to the house, and asked honorable members whether there was any thing unreasonable in such a stipulation as that which he had just described—a stipulation which led gradually, but certainly, slowly it might be, but still surely, to the unrestricted freedom of the slave. (Hear, hear.) Then he had been asked how was this scale of wages to be fixed? This was undoubtedly a point of some difficulty, as there was no criterion by which to settle it. Refer the question to the planters, and they would say that the rate of wages should be according to the outlay in procuring for them the necessary articles of food and clothing. But that he denied to be a true criterion; and yet you had no free labor to compare slave labor with, or to regulate its prices by. (Ironical cheers.) The noble lord cheered; but he should be obliged to the noble lord to point out to him where free labor existed in our West India colonies, and, when he had pointed it out, to prove its existence. He, (Mr. Stanley), was convinced that at present there was not that demand for free labor in any of our slave colonies which could form any certain regulator for the amount of wages which ought to be paid to a free negro. He could devise no better mode than that of compelling the planter to fix a price on the laborer at the time of his apprenticeship, and by enacting that the wages to be paid by the master, should bear such a proportion to the price fixed by him that for the whole of his spare time, if given to the master, the negro should receive 1-12th of his price annually. In this way the master and the slave would both act in reference to each other. If the master fixed a high price for his negro, he would have to pay him high wages in proportion to that price. If he fixed a low price, then, upon the payment of that price by any other person on his behalf, the negro would be positively and absolutely free.

The proposal, then, which he had to make to the house was that the apprenticed laborer should give up to his owner, 3-4ths of the profits of his labor, in consideration of the food and clothing which he received from him; that he should be at liberty, if he so thought fit, to give 1-4th of his labor elsewhere; but that if he gave it his master, whose interest it would be to receive it, he should receive for it an amount of wages proportional to the price set upon it by his master. The government had therefore divided the price for his freedom into so many instalments that at the end of twelve years all the price put on the slave by the master would be paid to the master out of the proceeds of the slave's industry. (Hear, hear.) In what condition, then, was it that the planter stood at the moment? He obtained for the next 12 years three-fourths of the labor which he now possessed in the slave from the apprenticed laborer; for the remaining fourth he would, if he employed it, have to pay certain wages. He might not choose to employ it; but then, if such was his determination, he lost the labor of his apprentice, and if nobody else engaged it, he was bound in law to make the loss good. Under these circumstances, he put it to the house whether it was not strictly in order to allude here to the loss which this alteration would occasion to many of the West India proprietary. Was it fitting that upon them and upon them alone should be thrown the loss accruing from the destruction of a species of property into the legality of which he would not at that moment enter, but of which he would say that it had been repeatedly sanctioned by the imperial legislature? It was exceedingly difficult, in the present condition of West India property, to get any safe criterion by which to judge of its value. He knew an instance of an estate which now produced £1,400 a year, and on which there was a

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mortgage of a sum between £4,000 and £6,000. Some years ago there was a mortgage of £10,000 upon it, which had been diminished by payments out of the rents of the estate to the sum he had just mentioned. The house would scarcely credit him when he told them that that very estate had recently been sold for a sum which would be covered by the proceeds of the first year from it.

He admitted that the insecurity of West India property had had a great and palpable effect upon the exchangeable value of it in the money market, and that when West India property was brought there now, it was at a depreciation truly frightful. Now, let the house look for a moment at the profit derived at present from West India property; and on this point he was speaking from the returns of West Indian property to the board of trade. On examining those returns, the house would find the nett profits arising from the sale of sugars. The planters had told the house the cost of raising a hogshead of sugar, the number of hogsheads which they imported annually, and the price of each hogshead, as ascertained by the Gazette. Now, from these data, it would appear that the nett profits arising from the cultivation of sugars was £1,200,000 a year. The house had not equal data for calculating the nett profits upon rum and coffee; but taking them to amount to £250,000 or £300,000 a year, the total nett profits of W. India property would amount to £1,500,000 a year. Now, his majesty's ministers proposed to advance to the West India body a loan to the amount of ten years' purchase of this annual profit, or in other words a loan of £15,000,000. It would remain as a question with parliament in what manner and upon what condition that loan should be repaid to the country. It would also remain with parliament to consider whether it would require the repayment of that loan, or would convert it into a gift, according to a plan which it might hereafter become his duty to submit briefly to the house. Parliament might consider that sum equal to one-fourth of the proceeds of the slave's labor, and with that sum, and the other three-fourths of his labor, he would at the end of twelve years have received a just compensation for the price of his slave, and for all the expense to which the slave might have put him for food and clothing.

It was only right, however, to state, that during that time the planter would have to pay interest upon his loan, and to that amount he might perhaps be considered a loser. Now, he thought that it would not be denied that this remuneration must be borne either by the produce of negro labor or by the revenue of England. It could not be borne by the planters, for that would neither be fair nor just; it must, therefore, be borne by one of the two alternatives to which he had already alluded. Upon one or other of them, beyond all question, the choice of parliament must rest. There might be gentlemen who thought that you ought not to take any thing from the profits of the negro so long as he continued a slave. In that opinion he could not concur. He thought that taking a portion of their wages from them now, for the purpose of purchasing their freedom hereafter, would induce them to lay by some part of their earnings afterwards when they became free, would teach them habits of prudence and forethought, and would materially tend to their moral improvement. He thought such a plan much better than saying to them, "You shall work three-fourths of the day for your master, and your master's advantage; but for the remaining fourth, which belongs to you, you may work or not as you please, for in either case food and clothing will be provided for you." He believed that he had stated, in as much detail as was then necessary, the principal features of his plan with, perhaps, one single exception. That exception was, that it might be necessary to add to the provisions of the bill that of which the want had rendered all former enactments null and void—he meant that it might be necessary to give to the executive some discretionary power. It might be necessary to distribute through the chartered colonies what already existed in the crown colonies—namely, stipendiary magistrates appointed by the crown, uninfluenced by the local assemblies—free from local passions and prejudices—who would discharge equal justice to the rich and the poor, the black and the white—who would watch over and protect the negro in his incipient state of freedom, and who would aid and direct his inexperience in forming a contract which might have so material an effect upon his future life.

There was one other object to which he thought that the protecting care of this country ought most specially to be extended. He would call upon the house to aid the local legislatures, or even to proceed without the aid of local legislatures, in establishing in the colonies schools for the religious and moral education of their inhabitants. (Hear, hear.) They were now going to emancipate the old negro upon certain conditions, after the lapse of a certain fixed period of time; but they were also going to emancipate the young negro immediately, and without any conditions. (Hear.) From the present moment, then, continued Mr. Stanley, your responsibility begins. Into their minds you must implant wholesome principals as the basis of wholesome habits. You are placing them in the rank of freemen, it is your duty to qualify them for holding that rank honorably, virtuously and beneficially. You are bound not to throw them upon the world impressed with the idea that the lot of man is labor from his cradle to his grave, and that he must die with no other hope and with no other consolation than that he has come to the end of a weary and laborious pilgrimage. (Cheers.) You must embue them with such principles as will ensure the performance of their duty here—as will teach them the necessity of moral restraint to secure their happiness hereafter—as will instil into them the purest motive of action—as will fit them for freedom in this world, and as will enable them to leave it, not as the brutes, who perish without hope of immortality. (Hear, hear, hear.) I have now gone through the details of the proposition which his majesty's government had deemed it their duty to submit to your consideration. I know the difficulties, the almost insurmountable difficulties, which it will have to encounter in carrying it into practice. I know the disadvantages under which I bring it forward at this particular crisis; but I still bring it forward, in the confident hope, that in these resolutions the germ is sown which will soon ripen into perfect fruit, which, when matured by the fostering care and protection of persons wiser and better qualified than myself, will secure to the country, to the colonies, and to all ranks and classes and colors of his majesty's subjects, that from this day forth there will be a virtual extinction, in the dominions of Britain, of all the horrors of slavery; and that at no distant period, by no uncertain operation, but by the action of this machinery, every trace which mars the face of freedom will be erased and blotted for ever from our laws and institutions. (Great cheering.) There are those who first started this mighty question, and broached its god-like principles, who have not lived to see the triumph which is reserved for it in these days. They labored in their generation strenuously and vigorously for that fulfilment which we are now about to accomplish—they were satisfied with the foundation which it was their fortune to lay, and they trusted that it would be strong enough to support the glorious superstructure which is now about to be reared upon it. Like the prophets of old, they hailed the day star from on high, and exulted in that prospect, which they saw through a glass darkly, and not as we do, face to face. It is not however, without feelings of the deepest and most heartfelt satisfaction that I recall to your recollection the fact that one man, the most religiously inspired, the most conscientiously influenced of all who labored in the dawn and the rising of this great and glorious cause—Wilberforce (great cheering) still remains to witness the final consummation of that important triumph to which his early energies were devoted, and to exclaim, like the last of the prophets to whom I have before alluded, "Lord, now let thy servant depart in peace." (Great cheering.)

I have now only to offer to the house my humble apology for having detained them so long on this subject. I will conclude, after thanking them once more for the patient attention with which they have listened, by expressing my sincere and earnest hope that the counsels of the house, under God's gracious Providence, will be so guided and directed, that England may now, a second time, set to the world the bright and glorious example of a commercial nation holding commercial advantages light in the balance when compared with the dictates of humanity, and justice and religion—that we may see the extinction of slavery gradually and safely, but completely and entirely accomplished; and that by moderation of language, and reconciliation of conflicting opinions, we may be induced to forget the extreme wishes we may have formed on either side, and thus show to the world the proud example of a deliberative assembly vindicating its character for moderation and decision in the line which it adopts—a line which, in my conscience, I believe to be honorable to the nation to which this assembly belongs, and which I consider is the surest pledge of the successful issue of the experiment on which we are now about to enter—(great cheering.) The right honorable gentleman then moved the series of resolutions which appeared in our paper of Saturday last.

Mr. *Stanley* then said, that he was too well aware of the importance of these resolutions to call upon the house to come to a hasty decision upon them. It had been with the greatest reluctance that he, as a member of the government, had been obliged to announce to the West India interest that he could not accede to their proposition to defer the statement which he had just made beyond to-night, but after the publicity which had been given to this plan in all the public journals, he felt that it was almost impossible not to let the government have an opportunity of stating the grounds upon which it had gone, and the principles on which it had proceeded. Having made his statement, he had no wish to call upon the house for an immediate vote: on the contrary, if any gentleman should propose that further time be given for their decision he should have no objection to the proposal.

Lord *Howick*, after some preliminary remarks, in which he referred to his painful situation in being compelled to state an opinion adverse to the plan, expressed his views of the subject and said that the resolution which purported to give to the slave the essentials of freedom, was an attempt to dupe the house with words. He then commented upon the distinction between the slave in his present, and the apprentice in his future condition, and thought that as it was made compulsory upon him to work three-fourths of the time for his master, he would still remain, to that extent at least, a slave. He also adverted to the provision respecting corporal punishment, and was of opinion that merely restricting the number of lashes that might be inflicted, would not better the situation of the slave, for, as in Demarara, what was diminished in number, would be increased in intensity. There were many other topics discussed by his lordship, and he sat down amidst loud cheering.

Sir Robert Peel, lord Althorp, Mr. Buxton. Mr. Stewart and sir R. Vyvian, made remarks on the subject, but they principally related to the period to which the further consideration of the subject should be postponed, which was fixed for May the 30th.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 18—VOL. VIII.] BALTIMORE, JUNE 29, 1833. [VOL. XLIV. WHOLE No. 1,136.

THE PAST—THE PRESENT—FOR THE FUTURE.

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☞The present number contains twenty-four pages—eight extra being added to get-in judge *Baldwin's* opinion, without interfering with the usual run of matter. In the present want of exciting subjects, we shall endeavor to give value to this work by the record of useful things.

☞The article concerning the introduction of slavery into the British colonies, presented on behalf of the West India committee, sitting in London, is highly interesting. John Bull was once pleased to regard slaves as "merchandise." He much encouraged a trade in men—but now abuses those who hold the property which he *forced* on their fathers, calling them bad names, and so forth.

☞Our latest accounts left the president at Boston, so much indisposed, that, on Monday last, it was thought necessary to bleed him freely, and prohibit the entrance of all persons into his chamber, except his immediate attendants; but it was hoped, on Tuesday, that he might leave his apartment on the following day. The fatigue and [illegible] to which he had been exposed were too much for him—indeed, it was hardly to have been expected that he could have kept up so long. Those immediately about him should insist upon his being placed more at his ease. It is not a trifling matter to pass through the various ceremonies, and dense crowds of persons, which attend the president in his tour.

The reception at Boston was consistent with the general character of the people of that city. It was neither uproarious nor sycophantic—nor did it partake of that rude party exclusiveness which has disgraced some other places; and it seems that the president was delighted with the manly and kind tokens of respect that were paid him, so long as he could partake of them. As was predicted, he will leave New England with new feelings—and be assured that political opposition has no effect upon the people of that country in their respect for the *chief magistrate* of the nation—nor the least influence over that courtesy which is due to distinguished visiters.

The president was too ill to witness the docking of the Constitution frigate—though he earnestly desired it.

THE SLAVE QUESTION. We have intended, several times, to notice the proceedings of the "nullifiers," in their wicked attempt to cause a new excitement in the south, on account of the slaves—as though some deliberate plans had been laid in the north to unsettle their *property* in them; for which purpose they have earnestly seized upon the most trivial circumstances—and, because of the acts of a few intemperate individuals, desire to make *another* "calculation of the value of the union!" We have laid aside a variety of papers on this subject, and, perhaps, shall use some of them—to shew the miserable shifts to which these desperate men are reduced to maintain notoriety, and keep themselves from sinking altogether from the public view; for they well know that, for several reasons, the *whole* south is alive to every question concerning negro slavery—and, on *that* interest, may be rallied into an united action, if fearful of the interference of the north. But, independent of a regard for constitutional principles, it is manifestly the *pecuniary interest* of the north that slavery should not be disturbed in the south—and *if* the "Yankees" are as mercenary as the nullifiers have described them to be, there is no possible ground to suspect any movement in the north, on this subject. It is true, that almost every reflecting person on this side of "Mason and Dixon's line," regards slavery as a mighty evil, a great curse—as many tens of thousands on the other side of that line regard it—but they as universally believe that there is no right in them to meddle in this matter, and that the entire jurisdiction over the case rests with the several states, individually.

We have not time to enlarge on this subject, just now—and would only refer our readers to judge *Baldwin's* opinion, and the decision of a Pennsylvania jury, in the case of a fugitive slave—and the correspondence between Messrs. *Bolton* and *Webster*, inserted in subsequent pages.

THE CHOLERA. We continue our melancholy notices of the progress of this extraordinary disease—but with as much brevity as is consistent with a general record of its fearful and fatal doings.

*Pittsburgh.* The sanitary board announced 3 cases of cholera, at Pittsburgh, in their report of June 22. It was supposed they would all prove fatal. No new cases had been reported. [The Gazette of the 25th mentions 4 or 5 deaths—in which, perhaps, the three cases just above mentioned are included, and says—The hospital report, dated Monday morning, 9 o'clock, states that no case of cholera asphyxia had been presented there during the last 24 hours.

*Wheeling.* The cholera had nearly disappeared from this place, at the latest accounts.

*Kentucky.* The cholera seems to have nearly abated in most of the towns of this state in which it appeared, after committing terrible ravages in some of them.

It is computed that about 350 persons died of this disease at Lexington only—the entire population of [illegible] at the time of its desolation, 2,000 having fled. Among those who perished were many of the most respectable people, male and female. Indeed, in this city it seemed to pay no regard to age sex or condition. Our latest date is of the 19th—and the cholera is spoken of as having nearly disappeared. It had carried off 23 persons in the lunatic asylum, and, in one instance, ten others of one family.

The P. E. bishop of Kentucky, and Mr. Peers, president of the Transylvania university, and the theological students, exerted themselves manfully at Lexington, in attending upon the sick.

A letter from Sherburne's Mills, dated June 15, says, "There is great excitement here about cholera. Many persons fled to the mountains, and left their crops and every thing standing, should the excitement not cease in a week, the crops will not be cut. Flemingsburg has suffered greatly, indeed there has been in town and vicinity near *fifty deaths* since Sunday morning; there has been as many as *twelve deaths* in one family of only *fourteen persons.*"

Georgetown has suffered severely. After a few cases at Winchester, the town was nearly abandoned. One case at Mount Sterling. There were 10 deaths out of 11 cases at Millersburg—because that the physicians fled from the place. Fredericksburg and Springfield have been visited. Flemingsburg had suffered much,* as well as Lawrenceburg, with Stamford, parts of the Green River country, &c. In the village of Eliza, in Fleming country, where there are near a hundred houses, there was not a single living soul to be found, and three dead bodies were left unburied.

*Extract of a letter from a gentleman in Maysville, Ky. dated the 14th.*

"We have just returned from the country, where we have been since the first inst. The stores are still shut, and not more than one-tenth of the inhabitants in town. We are among the first in. The cholera is raging through the country—there had been several deaths around us. I hope the disease has left our city—we have not had one case to day. Four families within a stone's throw of us, lost *nineteen* in two or three days."

At Bardstown the disease was awfully fatal—in one family of 16, there were 9 deaths—seven colored and two of the gentleman's children. It was sometime before persons could be found who had courage to inter the dead. The *sisters of charity*, attached to the Nazareth and Loretto stations, hastened to attend the sick, and one of them died a martyr. The rev. Wm. Byrnes, principal of St. Mary's seminary, died after 7 hours illness.

There is a report that 3 cases happened at Frankfort, on the 20th.

*Ohio.* During the week ending the 15th, there were 15 deaths in Cincinnati but we have not heard of any since. A few cases had happened at Steubenville, but the health of the town was fully restored.

It is said that 11 deaths took place in Gallipolis in one day!

*Alabama.* A few cases have appeared at Mobile and Montgomery, &c.

*Tennessee.* The cholera had nearly ceased at Nashville, but was spreading through the country, and especially fatal to the slaves. There had been 34 deaths in Pulaski, and this small town was abandoned—all the stores closed, &c. The disease was active at Memphis. Five convicts died in the penitentiary.

*Mississippi.* Many persons, chiefly colored, were dying at Natchez, and in its vicinity—also at Port Gibson, and there were yet a few cases at Vicksburg, and at Jackson.

*Two of the physicians had died, and the other two were not expected to live—at the last accounts.



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*Louisiana.* In the first six days in June, there were 179 interments in the Catholic burying ground, and 34 in the Protestant—total 211, at New Orleans. The excess in the former is partially accounted for in the greater cheapness of graves!—two dollars, only, being charged, whereas in the latter six are demanded. One report of the deaths on the 7th is 59; another 81. On the 10th—71—from the 1st to the 11th, inclusive, 555.

On the 8th there was a favorable change of the weather, and new cases of cholera less numerous. Among the deaths was that of the rev. Mr. Hull, the Episcopal minister. The "Bulletin" of the 15th speaks of the disease as being on the decline, and reports 55 deaths. This is the latest date that we have.

The general population of New Orleans is from 40 to 45,000—but many of the inhabitants had left their homes. The cholera has been chiefly fatal, this season, to emigrants and slaves.

A letter from Mobile dated June 14, says—"The cholera is raging in New Orleans, and is attended with more malignancy and fatality than it ever was, in any known part of the globe, not even excepting the jungles of India. No premonitory symptoms attend the disease. The first warning a man has, who may be in perfect health, is, that he is dying. A man, a few days since, actually died standing up: he felt faint and unwell, reached a fence, which he grasped, and then died, his hands cramped to the rails, which held him up after death.

Fatal cases have appeared at New Iberia, Martinsville, in the parishes of St. Mary, Lafayette, and Rapides. At some places, the crops had been abandoned, great numbers of the slaves having died. But the disease here, has generally yielded to medicine, if properly attended to. In the parish of La Fourche Interieure, one planter lost 83 out of his 200 negroes—others have lost one half, some a third, &c. The crops of these will also suffer.

*Missouri.* Mr. Buckner, of the senate of the U. States, and [illegible] died of the cholera in Cape Girardeau county, with some of his slaves. There were other deaths in [illegible] borhood.

A St. Louis paper of June 8, says—With the deepest regret we announce the sudden death by cholera of Mr. John Newman, attorney at law, of this place. The deceased was yesterday walking in the street, and this morning, between 7 and 8 o'clock, he was a corpse.

The disease was subsiding at Palmyra.

*Canada.* One of the rigid quarantine regulations adopted at Quebec, provides that the concealment of sickness on board of vessels, or giving false answers on that head, shall be felony, punishable with death, without benefit of clergy.

*Cuba.* The Boston Gazette of Saturday gives the following extract of a letter dated Matanzas, June 5th.

"You can have no idea of the gloom that prevails here in consequence of that dreadful scourge, the cholera. In the cities it has nearly ceased, but in the country its path is marked with desolation and ruin. On an estate having 100 slaves, every soul perished. Another with 60 lost 55. A slave ship lately landed 400 miserable wretches, of whom all but three died. Eight negroes were taken down on an estate 18 miles from this town, a few days ago. The proprietor, Mr. S. an Englishman, an old acquaintance of mine, immediately came to town to our house. His servant was taken down after he got in, and died in the yard under my window. The old gentleman returned to his estate the day before yesterday, where he found 38, out of 69, dead. He was immediately seized himself, when a black boy was despatched to us with a note stating that his master was dying. The boy had scarcely delivered the note, when he staggered, fell on the floor, and in a few hours was a corpse. The old gentleman is dead and the estate entirely deserted. This is a picture of many other estates."

A postscript to a letter from Havana of the 8th inst. states that the government had then resolved to suspend the granting of clean bills of health.

A letter from Havana, under date of 11th instant, states that the cholera is still prevailing in that city, and is again making dreadful ravages at Guanebacoa, about two leagues distant. In the lower grounds and along the rivers, both in that vicinity and Matanzas, the colored population were said to be literally *mowed down.*

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MR. WEBSTER partook of a public dinner at Cincinnati on the 19th inst. and, on being complimented in the 6th toast, delivered a speech—a copy of the report of which may be expected in the next REGISTER, with a regular account of the proceedings on that occasion. All parties united to honor the distinguished visiter, and all seem to have been highly gratified with him. In the course of his remarks, Mr. Webster feelingly stated, that the health of the country and the lateness of the season, with the earnest remonstrances of his friends, had imposed on him the necessity of proceeding no further at present; but declared his intention, at a future day, to penetrate the great Mississippi, and make himself well acquainted with the west, &c. On the 20th, Mr. W. started on his return homeward.

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MR. WHITE. We much regret to learn, that *E. D. White*, esq. one of the representatives of Louisiana in the last congress of the United States, and who was a passenger in the steamboat Lioness, with Mr. Johnston, and others—has died of his wounds. He, also, was a most worthy and excellent gentleman.

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BLACK HAWK and his party left New York, some days ago, on their return home, via the Hudson river, the canal and lake Erie to Detroit, and thence to the residence of their tribe beyond the Mississippi. They will, no doubt, make an imposing report to their brethren of the hundreds of thousands of persons who shall have presented themselves to their view, and of the many strange things which they have seen in their journey. The runnings after the chief and his party, by vast numbers of persons—must not have a little surprised these savages: but the American people are great lovers of "sights"—and mighty fond of seeing, and being seen, in huge masses——no matter on what occasion. Even a hanging-match has brought 20 or 30,000 of them together! It is said, that some men ran the risk of being trampled under the horses' feet, at New York, that they might "touch the hem of the garment" of the president—and added, that several of the *ladies* of that city, admiring the noble form and handsome face of young Black Hawk, warmly kissed him! *That* was, indeed, sufficiently near "going the whole!"

On the arrival of Black Hawk at Albany, in the steamboat, *thousands* rushed to the river to receive him! The press was so great that he could not land for an hour! At last, he doffed his blanket, and was smuggled on shore, and passed through the town [illegible], without being recognized! The chief and his party were immediately sent off on the rail road, to relieve them from the immense crowd of noisy persons who desired to shake hands with him, or lay hold of his blanket! Such things are not very creditable to our people.

A series of articles called "*Randolphiana*" has lately had a great run through the papers, and we meet with the following in the New York Gazette—

*Blackhawkiana.* One day last week after our "red brethren" had risen from a dinner table to which they had been invited, they retired to an anti-room to seek repose. Among the gentlemen present was one who requested an introduction, for the purpose of having a *religious conversation* with the sons of the forest. Young Hawk, sometimes called Tommy Hawk, had just thrown himself on a sofa, when the object of the visiter was made known to him through the interpreter. He smiled, and saying, "*I lazee—I lazee,*"—covered his head with a blanket, and fell asleep.

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THE NEW TARIFF. *From the Baltimore Gazette.* The Boston Commercial Gazette, in speaking of Mr. Clay's adjustment of the tariff question, says that it "has *given new life* to the manufacturing interest. Instead of being a death-blow to the manufacturers, it has induced them to *enlarge their plans of operation* in every direction." If this be the fact, it is evident that Mr. Clay could not have foreseen the operations of his own bill, since he introduced it with reluctance, and merely as an alternative to the utter destruction of the manufacturing interest. Nor could it have been understood by Messrs. Niles and Carey, who would not so violently have deprecated any measure tending to "give new life to the manufacturing interest."

☞The "Boston Gazette" was, always, severely anti-tariff. It is true, that, at present, many of the *old* manufacturing establishments are in full operation and doing a fair business—but not many *new* ones are making, and we do know that a large number of the manufacturers are looking to a stoppage of their wheels, at a future day—especially the makers of iron; unless in a greatly reduced price for wages. Present prospects may be changed. A thorough "reform" in England would do much to help us. If the working people there lived as ours do live, and, we hope, always will live, we should not feel alarmed at the idea of making liberal exchanges with them. But God forbid that the freemen of the United States shall be reduced to paupers, to uphold the *theory* of "free trade"—which, when the term is used by Englishmen, as supported by their practice, is as superlatively *impudent* as scandalously *false*. It is as if *Nell Gwynn*, of the 2d Charles, or *Mother Jordan*, of the present 4th William, of England (fruitful mothers of

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dukes and other lords—"Corinthian capitals of society!") had lectured boarding school misses, not yet in their teens, on the beauties of chastity!

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THE TARIFF LAW. It seems that "the enemy" has been put "at fault" by the treasury construction which follows:

A sample of goods made of doubled and twisted worsted yarn, manufactured into a stout twilled cloth, resembling kersey, having been forwarded to the comptroller of the treasury for his decision as to what rate of duty it should bear, the following decision has been received.

*Treasury department, comptroller's office, June* 17, 1833.

*Sir:* I have received your letter of the 4th inst. enclosing one from the public appraisers, accompanied by a sample of a coarse article with black stripes in it, said to be composed entirely of worsted yarn, in relation to the duty payable on which, a question, it appears, has arisen.

Ever since worsted stuff goods have, by law, been placed at a lower rate of duty than other manufactures of wool, it has uniformly been decided that the term was to be considered as embracing only such articles as had in the known commercial sense, and in the usage of trade, acquired the distinct appellation of worsted stuff goods—namely, bombazetts, calimancoes, wildbores, shalloons, &c.

I do not consider the article in question, as coming under that denomination. Respectfully,

JOS. ANDERSON, *comptroller.*

*James N. Barker*, esq.

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The treasury constructions have caused a good deal of grumbling among certain importers. Take the following as a specimen:

*From the Journal of Commerce.*

I am satisfied, Messrs. Editors, that the importing merchants in the United States will feel much obliged to the treasury department, as soon as it is positively known that they have finished changing the construction of the tariff acts. Every week do we hear of some new decision, some new construction, and some new interpretation of the intentions of congress, keeping the mercantile community, or those immediately interested, in a state of agitation and uncertainty, as to the rate of duty on any particular article. I presume every one is aware, that the treasury department can only interpret the law and the intent of the framers; consequently when congress declares that after a certain period certain articles shall pay such rates of duty as they may deem proper, and some time after the treasury department decides that articles hitherto classed under a different rate, were intended by congress to come under a per centage of duty more favorable than they were previously, I do contend, that the benefit of a reduction of duty should extend to these articles from the time of the approval or passage of the acts of congress making these reductions, and not from the *date of the treasury* circular, some 6 or 8 months after announcing that the department has decided it was the intent of congress that the articles were to be admitted to entry at a different rate of duty than heretofore, which may be some 15 or 20 per cent. less than the importers had been paying from the passage of the acts until the date of a treasury circular with different instructions.

A *recent* circular from the treasury decides that under the tariff act of 14th July, 1832, which was to go into effect after the 4th March, 1833, linen cambrics and handkerchiefs shall pay but 15 per cent. duty, instead of 25 per cent. which has until some time last month been charged on the article. Why was this construction not given in time, in order that this description of goods might be placed in the custom house stores prior to the 4th of March, for the return duty? Or why will not the department give orders at this time to the collectors to have a return duty allowed? I had on hand (and have now) before the 4th March, a large lot of linen cambrics which the treasury has decided were honestly entitled to a reduction of 10 per cent. duty; yet as such decision was not made till after the time prescribed for depositing merchandise for return duty within the custom house stores, I am to be debarred of the actual intentions of congress. Pray, whose fault was it? Surely not mine; and yet I must suffer for it, as my neighbor can now import the article, and by reason of paying a less duty, considerably under sell me. Under all these circumstances, I cannot but believe that the collectors will be instructed to refund the difference of duty on this and such other articles as were entitled to a reduction on the 4th March, but owing to a delay in fixing the construction of the law, were not deposited in the custom house stores at that time. PEARL STREET.

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COFFEE. We have seen an elaborate calculation published to prove that the annual consumption of coffee in the United States is *ninety-one millions of pounds a year.* The maker of this calculation, probably, has a considerable quantity of the article—on hand!

*Official* documents should be preferred—when to be obtained! It is true, they do not, in all cases, present *perfect* facts; but they are the best evidences that can be offered; and, in the instance before us, must be regarded as pretty close approximations to the "whole truth." The treasury tables for the three last years have the following aggregates:

| | *Imported—lbs.* | *Exported—lbs.* |
|---|---|---|
| 1830 | 51,488,248 | 13,124,561 |
| 1831 | 81,757,386 | 6,056,629 |
| 1832 | 91,722,329 | 55,251,158 |
| | 224,967,963 | 74,432,348 |
| Deduct exports | 74,432,348 | |
| | 3)150,535,615 | |
| Average | 50,178,538⅓ | |

And so the actual annual consumption is 50 millions of pounds, or 41 millions less than the calculated consumption.

But—it may be said that great allowances should be made because of smuggling. Some small parcels were smuggled when the duty was 5 cents per lb.—but the quantity was not then large. In 1831 the duty was only two cents, in 1832, reduced to one cent, and now no duty is payable. In 1831 and 1832, the inducement to smuggle was not equal to the risk, and the amount illegally introduced had no sensible effect on the quantity consumed. We therefore think that from 50 to 55 millions of pounds is fully equal to the consumption of the United States.

[illegible] has not had any seeming effect on its price—and, of course, no great influence over its consumption. In 1820, '21 and '22, the duty was 5 cents, and the average price 27 cents; but in 1829, '30, the duty being the same, the average price was 12¼ cents. In 1831, the duty being two cents, the price was 12½ cents; in July 1832, duty one cent, price 13 cents; at present, July 1833, *free of duty,* and the average price of all the qualities about 13 cents. So that now, when there is no duty, the price is ½ cent per lb. more than it was in 1829, '30, when the duty was 5 cents.

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"FREE TRADE!" We have omitted to mention, that, on the 14th ult. earl Fitzwilliam offered a resolution in the British house of lords, with a view of mollifying the CORN LAWS, which was taken up, *and negatived without a division.* So much for "reform"—and to "relieve commerce of its shackles!"

But some *free trade* is going on. Jonathan smuggles a few hundred dollars worth of tobacco into Ireland, in return for the millions worth of English goods which John Bull smuggles through the American *custom-houses,* and otherwise; and it is said, that British cotton lace to the value of more than a million of pounds sterling, is smuggled into France—and a million's worth of French silks smuggled into England. Here is the "*quid pro quo.*"

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VALUABLE IMPORTATIONS! It has too often happened, that, just after the arrival at this port of a ship laden with passengers from Germany, many of our citizens were worried into an ill-humor by the *streams of beggars* which beset them. Twenty, or more, have often applied to us, in one day, for pecuniary aid—which, though quite as much accustomed to furnish as any of our neighbors, has been universally refused in such cases, as a protest against the practice, and because of a serious belief that the encouragement of it, in one instance, was the fruitful parent of others, holding out inducements for fresh cargoes of beggars. For we have known several cases in which persons were seeking charity, from house to house, in regular succession, who had on hand considerable quantities of gold!—and are clearly of opinion, that the success of one party of such degraded and ungenerous beings, has invited others into the same vicious conduct. But in the last week there arrived in Baltimore 800 or 1,000 Germans—healthy and clean and well clothed persons, evidently of the laboring classes, but manifestly sober and decent and industrious individuals. It is not easy to place a money-value on such emigrants. These are men and women to "make the wilderness blossom as the rose," being generally in the prime of life—and they will make

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rapid additions, and, in a geometrical ratio, to the population and wealth of our country—to which we bid them a hearty welcome.

A powerful emigration is going on from Germany—and, in the present year, we are told that it consists of the valuable classes, of which those present are specimens. We have received several cargoes of passengers in the present week—and others are expected.

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PRODUCTION OF SUGAR. Louisiana has a soil sufficient, south of 30 deg. 40 min. north latitude, to yield 300,000 hogsheads of sugar, of 1,000 lbs. each, and (of course) 40 gallons molasses to each hogshead. Were seasons regular, as much may be produced in South Carolina, the Floridas, Alabama and Georgia, and ere long the south west may furnish 500,000 or 600,000 hogsheads. But whilst rice and cotton command more remunerating prices, this estimate cannot be realized. We speak only of *capability*.

Supposing us to extract from a suitable soil half a million of hogsheads at five and a half cents per pound, they would yield $27,500,000; two-fifths to be deducted for cost of production. Then add the amount of forty gallons molasses per hogshead, or 2,000,000 gallons, at twenty-three cents per gallon—$460,000.

As it is, the exports of Louisiana produce, of all kinds, exceed those of South Carolina, who boasts of her eight millions. Let us labor, then, to develope our resources.

Sugar is now very scarce in this market, and in great demand. [*N. O. Bulletin.*

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NAPPING HATS BY STEAM. The invention of man appears to have no bounds, since Fulton discovered the utility, and applied to the purposes of navigation the power of steam, the improvements that have been made in the arts and sciences are almost incredible. We stepped into a hat manufactory a few days since, and were surprised and gratified to see in successful and admirable operation a new patent machine for napping hats, carried on by steam. The beauty and superiority of the work is admitted by all who examine it. On inquiring wherefore hats napped in this manner are preferable to others, we were informed that it required extremely hot water to bring the article to perfection, and that this is accomplished much better through the agency of steam than in any other manner, it having been ascertained that steam applied in this way is five times as hot as boiling water. [*Philad. Inq.*

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THE DRY ROT. The Hudson frigate, which was built in 1826, and which has made but one cruise, is decayed to such an extent that she is not worth repairing.

The discovery and adoption of a cheap, safe and efficacious preventive of rot, would save millions to both England and the United States.

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THE RAIL ROAD AND THE CANAL. The Frederick Herald of Saturday, furnishes the following interesting information:

Pursuant to a previous agreement, the presidents of the two great companies, respectively accompanied by a committee of the directors, assembled in this city on Wednesday last, for the purpose of carrying into effect the arrangement entered into some time since for the passage of the rail road around the Point of Rocks, &c. and it gives us great pleasure to state that the best possible feelings prevailed on the occasion, both parties manifesting a desire heartily to co-operate to promote mutual interests. The arrangements which have been entered into have not been fully communicated to us; but we have been assured that all obstacles which heretofore prevented the prosecution of the works have been removed beyond the possibility of collision. Sincerely do we congratulate the public upon this desirable result, and hope that the liberal spirit which has been manifested, may add to the energies of both companies, and that all private feelings may be merged in a desire to promote the public good.

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UTICA AND SCHENECTADY RAIL ROAD. The following are the sums subscribed at the respective places at which the books were opened for the capital stock of this company. The aggregate exceeds, it will be perceived, *fourteen millions of dollars!*

| | |
|---|---|
| New York | $5,276,000 |
| Albany | 3,257,100 |
| Utica | 4,300,000 |
| Schenectady | 1,541,500 |
| | $14,374,600 |

[The capital of the company is only two millions.]

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BOSTON. Three rail roads are now making from this city, and will, very soon, be completed—to wit:

To Providence 40 miles; to Worcester 43 miles; to Lowell 25 miles.

These roads pass through or lead to certain of the most populous and important parts of the state; and may be regarded as mighty labor-saving machines.

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PASSENGERS. On Sunday evening and on Monday, no less than 1,922 passengers arrived from foreign ports, at the New York quarantine ground.

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THE MISSIONARIES. The release of Messrs. Worcester and Buttler, by the governor of Georgia, appears likely to create much excitement in that state, and to become a leading question in the ensuing contest for governor, on the part of the "Troup republicans" against the *other* republicans.

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AMERICAN NANKEEN. We have before us a beautiful specimen of American nankeen, made from nankeen colored cotton, raised by Mr. Forsyth, of Georgia. The nankeen cotton was first raised in the south, eight or ten years ago, but was not then thought much of—as is the case with all new articles, it was with difficulty that persons could be found to try it. Mr. Forsyth has persevered until he has been able to induce the manufacturers to work up the raw material, and thus bring the article fairly into market. The specimen before us, a piece of seven yards, is really beautiful; somewhat darker colored than the India article, and much superior to the miserable imitations from the English loom and *dye shops.* It being of the natural color of the cotton, it does not fade by wear and washing; and we are informed that Mr. Forsyth thinks the strongest mineral acids will not extract the color. This may be correct, but all vegetable colors disappear under the action of chlorine—and we shall take an early opportunity to test the fastness of the color of this article by the use of the chlorine, and other chemical agents. Mr. Nathaniel F. Williams, merchant of this city, agent for the sale of the nankeen, to whom we are indebted for an opportunity of examining it, informs us that a friend of his had accidentally got a large spot of ink on a new pair of pantaloons, which he considered had spoiled them. Mr. W. advised him to apply a little lemon juice and salt to the spot, and expose it to the sun, which was done, the ink extracted, and the color of the cloth remained unchanged.

We have thought it important to the interests of the southern cotton planters, that a knowledge of the value of this nankeen cotton cloth should be disseminated, as the manufacture of nankeen will add to the consumption of the raw material. No one will ever wear the imitated article when they can get the genuine one. The color of the common imported nankeen disappears on the first washing, and clothes made of it are, therefore, very soon laid aside. We recommend a trial of this nankeen, and also the culture of the cotton, as an important object of attention to our southern friends. [*Am. Farmer.*

☞It is an objection to this valuable product of our fields and workshops, that it has the same width, and is otherwise put up in imitation of the Chinese article—because that the width and length of the pieces are unfriendly to an economical use of the goods: but we join the "Farmer" in expressing a decided opinion that the American nankeen is very superior even to the *best* Chinese, for firmness of texture and durability of color.

We have accidentally learned that, when certain contracts shall have expired, the American nankeens will be made of the cassimere width; and, we hope, sold by the *yard*, like other goods, instead of the piece—rendering its use more economical to consumers, without interfer-

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ing with the profits of producers, but greatly increase their sales.

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LAW—*Infancy*. A person recently was brought to trial in New York for an amount of $154 59, for goods bought by him to supply his own business as a grocer, and pleaded "infancy" as a bar to recovery!

The judge charged the jury—"That it was a *fraud* for a person who had the appearance of an adult to commence business and then set up *infancy* in payment of his debt; yet so was the law if he was an *infant*. The proof being conclusive as to the fact of *infancy*, notwithstanding his *large whiskers*, the jury found a verdict for the defendant."

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"RANDOLPHIANA." A series of sprightly articles have appeared in the "New York American," detailing conversations with the late Mr. *Randolph*, intermixed with several brief letters from him to the writer—who was on quite easy terms, as it would appear, with that *extraordinary* man.

Some of the matters of fact stated in the *Randolphiana* have been contested—on which the "American" pointedly says:

"In reference to the contradictions, we feel called upon to say, that if there is any inaccuracy or misstatement, it lies not at the door of the writer of the numbers. What he delivers he received: we vouch for his veracity, as in the first number we promised. For that of Mr. Randolph we did not assume, and certainly do not feel called upon to vouch, nor in any way to defend the probability or consistency of his sayings and doings."

*From the National Gazette.* The Lynchburg Virginian asks if it be possible that John Randolph, of Roanoke, fraternized with "the great bug-bear federalist," the editor of the National Gazette? Mr. Randolph was intimately connected with greater bug-bears of the kind, during the war with Great Britain. He was of the "Royal George" mess at Georgetown; gave Rufus King a preference over all other politicians; lived and acted with Hanson and Grosvenor, and fraternized, almost exclusively, with the principal adversaries of the administration. His speeches against the war were received and reprinted in Great Britain as the strongest testimony in her favor. Mr. Stevens, the author of *War in Disguise*, edited one of them on that account, &c.

[☞The less that is said about the "*democracy*" of Mr. Randolph—the better for his memory. There was no more democracy in his *practice* than "Tippoo Sultan" displayed; he was as haughty as "the proud duke of Somerset," who felt his dignity insulted because that his wife playfully touched his cheek with her fan.

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REFORM. The Dover (N. H.) Enquirer states that *Joseph Hammons*, lately a representative in congress, has received the appointment of postmaster at Dover, in room of *B. H. Palmer*, "*Nortonized.*" The most exceptionable feature of this appointment is, that Mr. Hammons is not a resident of Dover, but of Farmington, and has not yet, owing to indisposition, been able to return to his own state from the seat of the general government. He has entered on the duties of his office, however, though absent, *by deputy*. [*Nat. Int.*

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MAINE. *From the Boston Mercantile Journal.* On the 19th ult. at Bangor, the public sale of six townships of the commonwealth's land in Maine, took place according to advertisement. Our correspondent, under date of that day, says:—"There has been an immense concourse of people from all quarters, and the sale was conducted with great interest. The result was as follows:

| Choice. | No. | Acres. | Pr. acre. |
|---|---|---|---|
| 1st | 3, 4th range, W. branch | 22,080 | $3 56 |
| 2d | W. on Moosehead lake | 13,588 | 3 16½ |
| 3d | 3, 3d range, W. branch | 22,080 | 3 07 |
| 4th | A. 2d range | 11,165 | 3 13½ |
| 5th | B. 2d range | 22,080 | 3 40½ |
| 6th | (to be selected this day) | —— | 3 81½ |

All purchased by Mr. Ralph Huntingdon, of this city. Amount of sales—1. $78,604 80; 2. $43,617 48; 3. $67,785 60; 4. $35,002 27; 5. $75,182 40. Total of five townships, $299,402 75.

DEAF AND DUMB. The report of the *American asylum for the deaf and dumb*, at Hartford, (Conn.) has lately been published. We learn from it, that the present number of pupils is 130; those who have left the asylum 216; total number of pupils from the foundation, 446. Of these, 111 have been supported by their friends, the rest by the states of New England, except Rhode Island. The report states furthermore, that the directors being convinced that the body and the heart, as well as the intellect of the young require a systematic training, as early as 1822 opened a workshop for the scholars, and adopted such other plans as they thought conducive to the great objects of education. The result has been, as they observed, that they "have found bodily activity and soundness of health promoted by labor; that induces confidence in their own powers, independent of character, cheerfulness in study, and hope in overcoming difficulties. It keeps youth from contracting idle habits while at school; and diminishes their exposure to temptation."

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BOSTON. Officers of the ancient and honorable artillery company, chosen on the 3d June:

Col. Edward G. Prescott, captain.
Capt. Robert C. Winthrop, 1st lieutenant.
Lieut. col. Peter Dunbar, 2d "
Maj. Lewis Dennis, adjutant.
Ensign Charles A. Macomber, 1st sergeant.
Capt. George W. Cram, 2d "
Capt. Joseph D. Towle, 3d "
Capt. Thomas C. Hollis, 4th "
Major Charles Saunderson, 5th "
Capt. William R. Stacy, 6th "
Col. Benjamin Loring, treasurer.
George H. Whitman, esq. clerk.
Mr. Josiah W. Homes, armorer.
Major J. L. White, assistant do.

[This company has been well called "the soul of the soldiery"—and has sent to and received from the field of battle, some thousands of members. It is kept up, in all its old spirit—its ancient pride of patriotism, and glorious devotion to "liberty and law,"—not in "chivalry," but in *action*.

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DICKINSON COLLEGE. Under an arrangement made with the full consent of the present board of trustees of Dickinson college, at Carlisle, Pa. the buildings, land, library, apparatus and other property of that institution, have been transferred to a joint committee of the Baltimore and Philadelphia conferences of the Methodist Episcopal church, acting in behalf of those bodies. This transfer has been made, from a laudable desire on the part of the present trustees, to place the college again in a flourishing situation, and with a belief and confidence that, in the hands of the Methodist society, it may be made eminently serviceable in promoting the cause of education and literature generally. By a joint committee a new board of trustees, consisting of Methodist ministers, Methodist laymen, and gentlemen not members of the society, in equal numbers, met at Carlisle to organize on Thursday, the 6th of June. Those appointed on behalf of the Philadelphia conference were—

Rev. Samuel Harvey, rev. Jos. Lybrand, rev. Charles Pitman, rev. Joseph Holdich, Dr. M. Anderson, J. B. Longacre, esq. Richard Benson, esq. John Davis, esq. Dr. J. M. Keagy, John Antes, esq. Thomas A. Budd, esq. Benjamin Mathias, esq. Samuel Parker, esq. Dr. J. Higgins,—— Hicks, esq. Dr. J. Roberts.

Baltimore conference, as far as heard from.

Rev. S. G. Rozel, rev. Jacob Guest, Dr. Samuel Baker, Dr. Theodore Myers, Charles Warfield, esq. John Philips, esq. Wm. M. Biddle, esq. rev. Alfred Griffith, Dr. Thos. Bond, Dr. Thos. Sewell, Dr. Ira Day, John P. Dulaney, James Dunlop, esq. Charles McClure, esq.

Both committees also joined unanimously in the nomination of the hon. John McLean and bishop Emory as ex officio members of the board.

Arrangements will be immediately made by the new board for re-opening the college under the direction of able and experienced professors, and on a basis which will ensure the permanent usefulness of the institution. [*Carlisle Herald.*

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WHEELING. In copying an article from some other paper, we carelessly accepted a statement that the population of this thrifty and rapidly growing town was about 3,500. It is about twice that amount now—being 5,211 in 1830.

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THE GREAT RAFT ON RED RIVER. We understand that an official communication has just been received at this place from capt. Shreve, the enterprising agent of

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the government for removing obstructions to navigation from the Mississippi and some of its important tributaries, stating that, within the space of twenty-six days, he had succeeded in removing twenty-six miles of the great raft on the Red River. Captain S. entertains the hope of being able to extend steam boat navigation up that river, 80 miles, before the close of the present season; and expresses great confidence in his ability, with the means at his control, aided by a moderate sum, to remove the entire raft within a short time. [*Washington Globe.*

[A later account says that sixty miles of the raft had been cleared, at the expense of only about $14,000, and a perfectly good navigation made so far. It was believed that the whole work might be soon completed.]

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NEW YORK STANDARD. *From the Pennsylvanian.* We find the following droll announcement in a copy of the New York Standard sent us by a friend.

The friends of the *New York Standard* are informed that its publication will be discontinued after the 30th instant. The subscriber does not feel called upon for reasons. JOHN I. MUMFORD.

*June 14th*, 1833.

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*Yet further!* The following strange article is from the "Standard" of Monday last—

"I do not yet see cause to regret or alter my notice, of the 14th inst. I have served my party faithfully and devoted myself in all honor to private friends; and shall regret to be compelled, like Samson, to bear away the pillars and involve myself with others, who may force me to the act, in a common ruin. It was and is still improper for me to give the reasons for this determination in regard to an establishment which now yields $11,000 per annum clear profit; but *they who know me know full well* that I will not see the Standard perish without a struggle, nor ever see it pass into the hands of the enemy. I HOLD THE POWER, AND I WILL EXERT IT to right the party and myself. JOHN I. MUMFORD.

*June* 24, 1833.

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*Another notice.* From the New York Standard of the 26th inst. "The causes which induced the notice of the 14th instant, announcing the intended discontinuance of the STANDARD, have so far ceased to operate as to enable us to state to the friends of the paper that it will not be discontinued, but will be carried on with increased efficiency. We are gratified to be able to announce this fact."

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THE LONGITUDE DISCOVERY. We find, by a communication in the Cincinnati Republican, that the longitude is at length discovered. Captain Benjamin Jones Shain, of Cincinnati, a native of Delaware, has constructed a mathematical figure, from which he says that he can ascertain a ship's longitude at sea, by first having the latitude, the *bearings of an object*, and the assistance of some nautical tables.

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POST OFFICE WIT. A few days since we received the following epistle, according to the rules of the post office department, "in such cases made and provided"—

*Dover, N. H. post office*, 14*th June*, 1833.

Sir—Pursuant to an instruction of the postmaster general of the United States, I have to inform you that the "New Bedford Gazette," addressed to the N. H. Palladium, is not taken up, but remains *dead* in this office. I am, respectfully, your most obedient servant,

B. F. GUPPY, assistant P. M.

"Reason—The Palladium ceased publication in August last—the publisher is since *dead*—his wife is *dead*, and it is a *dead* concern altogether." [*N. Bed. Gaz.*

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UNITED STATES DEBTORS. It may be a friendly service to those who were indebted to the United States previously to the 1st of January, 1831, and who are unable to pay the same, to remind them that the acts of congress for their relief will expire in the month of March next; and as the proofs and exhibits in such cases usually require much time in their preparation and arrangement, it may be expedient for them to give early attention to the subject, lest by casualty or the pressure of other concerns, the opportunity of relief may be lost by procrastination.

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THE EDITORIAL PLURAL UNIT. As the following passage from the prefatory note to the Melange is very short, we shall transcribe it, although *Pascal's* hit at editors will probably naturally give the greatest umbrage to those to whom the satire is the most applicable:

"We have heard it intimated that there is something of ostentation or egotism in the use of this said plural unit, which is confined to monarchs and editors; but we conceive the reverse to be the fact, and we shall adduce in defence of the practice, the authority of a celebrated satirist. Pascal ridiculed those egotists who said 'my book,' 'my commentary,' 'my history;' and observed, that to say 'our book,' 'our commentary,' 'our history,' would be much better, since there is in them much more of other people's than their own."

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CATHOLICISM IN THE UNITED STATES. From the *Memoirs of American Missionaries*, published by Pierce & Parker, under direction of the Andover society of inquiry, we learn that the Roman Catholic population of this country is estimated at 800,000, the number of congregations at 784. There are ten dioceses, or bishoprics; an archbishop resides at Baltimore.

The Boston diocese comprises all New England, but only a Catholic population of 20,000 (half of which are in Boston and vicinity) 18 priests and [illegible] congregations. Of the latter 6 are in Maine and 9 in Massachusetts.

"Here are eight or ten colleges, besides many academies and other literary institutions, entirely under the control of the Catholics; as many theological seminaries; and more than twice that number of convents or nunneries."

"In Baltimore they have several charity schools; St. Mary's free school and orphan's asylums, where the children of the poor and orphans are early brought under their influence. Several hundred children are in these schools, which are under the direction of the sisters of charity."

St. Mary's college, also in this city, has a theological department, and eight of the nineteen instructors are ecclesiastics. The course requires seven years. The library contains 10,000 volumes. Students, 150.

At Georgetown, D. C. is a jesuit college with the same number of students, 20 instructors and 8,000 volumes in the library. There is a college at Mobile, at New Orleans and Jackson, in Louisiana; one at Bardstown, (Ky.) with 150 students; one at Cincinnati; two in the St. Louis district, including one with 160 students in that city. The most splendid *cathedrals* are in St. Louis, Mobile and Baltimore. The latter city is styled the *Rome of the United States*. It contains 20,000 Catholics, five splendid edifices, a public Catholic property of a million of dollars, and a convent, and a nunnery for blacks, besides the college. The cathedral is the most magnificent and largest temple in the union, having cost over $300,000, exclusive of ornaments, &c. The ground plan is 190 by 117 feet, diameter of the dome 77, and height 116 feet; two towers, at each wing, 120 feet high.* The congregation numbers 6,000, and is the same with whom Carroll worshipped. There are 67 priests in this diocess, besides those connected with seminaries, of which there are 14 in all. In the Cincinnati district the Catholics are said to be "rapidly increasing." In the St. Louis and New Orleans districts are more than 100 priests.

[*Boston Mer. Journal.*

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## BRIEF NOTICES.

A second instance has happened at Albany of the dismissal of one of Mrs. Bradstreet's suits, because the jury could not agree. This lady claims a considerable portion of the city of Utica.

A Scotch paper notices an old woman living at Glasgow, who is 130 years of age. She never took a doctor's drug in all her life, nor was a lancet ever applied to her frame. She is perfectly free of affections of the chest, and, during the last century of her life, she has been a perfect stranger to pain, and her pulse does not exceed 70. Her grandfather died at the age of 129, and her father died in the 120th year of his age.

The oldest member of congress now living is *Paine Wingate*, of Stratham, N. H. He was of the first congress, held in New

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* Only one is yet built.

York, under gen. Washington's administration—is the eldest living on the Harvard college catalogue, having graduated in 1758—75 years. He married a sister of col. Pickering, whom he buried a few years since. He still superintends his farm, at the age of 95 years, is an old school gentleman, *and wears his revolution hat and ruffles.*

Some of the friends of Mr. *Parkins*, ex-sheriff of London, but now a resident of New York, got up a commission to inquire into his sanity, and so prevent the waste of his property—for he had lately gotten himself into many law suits and difficulties of an extraordinary character. Mr. P. plead his own case, and convinced the jury that he was not insane. He seems subject to "an ungovernable temper."

Yet another bad fire has happened in the little city of Raleigh, and the loss of property was large.

The defalcation of Edwin R. Harford, late cashier of the Darien bank at Macon, Georgia, has already been mentioned. The Milledgeville recorder states, that he has been tried and convicted on the charge of embezzlement, and sentenced to the penitentiary for six years.

Very many passengers from foreign countries are now arriving at Baltimore, &c.

The editor of the Wyoming Herald, thus notices the copper mine recently discovered in Luzerne county.

"The mine is opened about twenty yards in length, and four feet thick; the ore is imbedded in grawacke, and in appearance is very extensive. A specimen of the ore, and also of the copper made from it, was a few days since shown to us, and we were assured that the yield is fifty per cent. If so, it is of itself 'a mine of wealth,' and will add much to the universal resources of the county, already rich in minerals, and all it wants to convert it into the solid metal is 'capital.'"

At a public sale of real estate in the city of Boston, a few days since, the ground belonging to the late *Daniel D. Rogers*, containing 18,396 square feet, bounding 112 feet on Beacon street, 204 feet 6 inches on Mount Vernon street, 99 feet on the adjoining estate north, and 168 feet 4 inches on Bowdoin street, was sold in lots, for the aggregate sum of $62,283 45.

Large quantities of specie are arriving in the United States from Mexico.

The locomotive for the Saratoga rail road will soon be in operation, when a large party will leave New York in the morning steamboat, and take tea at Saratoga springs before sunset, a distance of about 180 miles.

A newspaper to be called the "Moderator" is to be published at Washington, by W. R. Collier, to support John McLean of Ohio, as the next president of the United States.

The capital stock, and deposites and other funds on hand, in the Maryland Savings Institution, on the 1st June, amounted to the large sum of $1,291,195 46.

A branch of the Baltimore and Ohio rail road has been extended through the city of Frederick, and was first used on the 5th instant.

The two sphynxes lately discovered near the statue of Memnon, among the ruins of ancient Thebes, have been purchased by the Russian government for 64,000 roubles. The expense of their transport to St. Petersburgh will amount to 28,000 roubles. These sphynxes are destined to adorn the Russian capital, where they will be placed on pedestals.

The life of lord Foley, recently deceased, was insured for £200,000 sterling. It is said that this is the severest blow which the London life insurance companies have experienced since the death of the elder members of the present royal family. The affairs of lord Foley being greatly embarrassed, it is probable the insurance was effected for account of his creditors.

Early this spring, a farmer who lives on Long Island, in preparing a piece of new ground for cultivation, discovered under an old stump, a great number of our common *black snakes*, who appeared to be in a torpid state. On being exposed to the warmth of the sun, they were reanimated and endeavored to make their escape, but were overtaken by the laborers employed in the field and killed. After the frolic was over, they numbered the slain, and found them to exceed four hundred and fifty. [*N. Y. Post.*

Robert J. Turnbull, esq. a distinguished writer in favor of nullification, died at Charleston on the 14th inst. of the "country fever." He was a man of much industry and talents, and one of the chiefs of the party.

The Belfast (Ireland) Whig of the 9th ult. contains the following:

"Lord Grenville, now very old, is seriously indisposed. On his death, the secret respecting the author of "Junius's letters," will be disclosed—his lordship having long been in possession of it. The documents are at Stow, the seat of the duke of Buckingham, who is also ill."

The only important thing in this "secret" is that it has been so long and so well kept. It is no matter *who* was the author of "Junius."

Great deposites of marl have been recently discovered in Virginia and Maryland.

It is stated that col. *William Drayton*, of South Carolina, is about to abandon his native state, because of the unceasing hostility of his political opponents. Judge Smith left it, on the same account—and hundreds of the most valuable and enterprising of its citizens have sought peace in Alabama, and elsewhere.

New Bedford, which has a population of only about 10,000 persons, is the fourth port in respect to tonnage. Thus—*Dec.* 31, 1831.

| | *Permanent registered.* | *Total.* |
|---|---|---|
| New York | 104,439 | 286,438 |
| Boston | 91,075 | 138,174 |
| Philadelphia | 46,320 | 79,986 |
| *New Bedford* | 56,018 | 64,049 |
| Baltimore | 22,374 | 43,263 |

## FOREIGN NEWS.

*From Paris papers to the 16th May inclusive.*

### FRANCE.

The duchess of Berri has named her *illustrious* baby Anna Maria Rosalie, and insists that she has a husband, count Hector de Luchesi Palli, second son of the viceroy of Sicily—which some believe, and some do not, is the father of her child. She was about to be sent to Palermo. She is said to have expressed a wish to be sent to America, supposing that her family will not receive her kindly.

### HOLLAND AND BELGIUM.

The state of affairs between these kingdoms is rather warlike—but neither dare fight without leave.

### SPAIN.

A letter of the 5th of May, from Tarragona, mentions an insurrection among the country people about Reus, three leagues from that town, occasioned by the instigation of the monks. Several villages had united and taken up arms. Their banner bears the inscription;—"long live Charles V. and death to the queen!" Of all the villages, Alforge and Pevoleda, have displayed the greatest violence.

But the queen is reported to be again pregnant, to the great annoyance of the Carlists, and yet may have a male baby for a king!

### PORTUGAL.

Letters from Lisbon state that the Miguelite army is constantly diminishing in consequence of desertions, and that the squadron destined for Oporto is detained in the Lisbon roads, being unable to leave for want of sailors. Arrests are continually taking place, and there are now more than fifteen thousand prisoners of state, shut up in the neighboring prisons. Numbers of these unhappy people daily perish by hunger.

### RUSSIA.

A letter from St. Petersburgh, dated 25th April, states, that gen. Orloff has been ordered to proceed to Constantinople to take command of the Russian land and sea troops there, and has been accredited also as extraordinary ambassador. Hence it has been naturally concluded that the war will be continued. All the numerous disposable regiments were concentrated on the Turkish boundaries. Prince Paskewitch has prepared a plan of military operations against Ibrahim.

A conscription of troops has been ordered in Poland—four out of every 1,000 inhabitants of the district.

### TURKEY AND EGYPT.

The intelligence from Constantinople is six days later than before received, extending to the 23d of April. The Augsburg Gazette of the 12th of May gives the following, of that date, as received by express from Constantinople:

"The negotiations with Ibrahim pacha are broken off, and preparations are making here to resume hostilities. Ibrahim pacha has received orders from his father not to renounce Adana, and he refuses to evacuate Natolia, until the sultan shall have made this concession. But the latter refuses to comply with the demand of the Egyptians, and has declared, that having given sufficent proofs of his forbearance, he retracts all his former concessions. Thus the sultan regards as null and void the proposals made to effect an arrangement, after the arrival of the auxiliary army from Russia. He wholly relies on this power, contrary to the expectations of admiral Roussin. It was supposed by many that the porte only negotiated to gain time; this opinion, however, appears not to have been entertained at head-quarters at Koniah, or by the French embassy.

"It will now be a cause of regret to the Egyptians that the real intentions of the porte were not ascertained sooner; for Ibrahim pacha will scarcely venture to attack the Russian camp, and in case of a further loss of time, he will find it difficult to maintain his ground. The main army of the Russians will reach Constantinople about May 15th, and will, it is said, immediately commence offensive operations. The most intimate friendship now prevails between the Russian and Turkish authorities, and the sultan is most attentive in supplying the Russian troops with every thing necessary. There are now 14,700 Russians in the camp at Scutari, and to-morrow they will be joined by 400 Turkish artillerymen. Russian officers have been sent to the Dardanelles to put the castles into a state of defence. Thus the war appears to begin again with new vigor. The capital enjoys perfect tranquillity, to which the presence of the Russians no doubt contributes greatly."

The above account is substantially confirmed by a letter of the same date, received at Vienna, which says—

"Ibrahim imperiously demands the cession of Adana and Tarsus, and threatens, not only not to quit Kintais, but again to advance. The sultan somewhat reassured by the daily arrival of

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the Russian troops, and encouraged by the envoy of the czar, avoids all new concessions, and gives himself up with the greatest confidence to the Russians. If then Ibrahim persists, we may expect a renewal of hostilities."

An insurrection took place in the island of Cyprus, favorable to Mehemet Ali, but the island soon returned under the dominion of the grand seignor.

MEXICO.

The reported resignation of the presidency by Santa Anna is not true. He was inducted into office on the 16th of May, and in his speech to the congress declares—

"That the only and sacred object of his life has been to secure to the Mexicans the full enjoyment of those rights which constitute public felicity, to destroy the triple yoke of ignorance, tyranny and vice. That the moment for securing repose has arrived, and that he would never cease from seeking this result, which humanity and philosophy have promised from the last revolution. He declares that the exercise of the public power shall not be in his hands, the instrument of vengeance and oppression. That education, the vital element of the prosperity of nations, shall receive the first care of his government, in order that the nation may be worthy of its elevated rank and prepare the existence of a people that shall exult in the memory of its benefactors. My political intercourse, he adds, with the nations that live in peace and harmony with us, is upon the basis of the most strict reciprocity—just, impartial and unalterable. Peace is a blessing to the human race, and shall be preserved so long as the national dignity permits."

COTTON CROPS.

The following interesting statistics are copied from the N. Y. Journal of Commerce:

In sending you the statement herewith, I vouch for *the facts*. As to the estimates, those who are able may judge of their correctness; but after all previous experience of such matters, it would appear very possible that the crop may reach the quantity of 1,100,000 bales, and improbable that it should be so small as 1,050,000.

The unusually bad state of the roads, during the last winter, and in the spring, may have detained some 20 or 30,000 bales more in the interior than I have allowed.

INVESTIGATOR.

*New York, 17th May*, 1833.

PROGRESS OF RECEIPTS, &c. OF COTTON COMPARED WITH THE LAST SEASON.

| Districts of growth or export. | Accounted for: this season | Accounted for: same time last season | Probable future receipts: this season | Probable future receipts: same time last season | Probable crop of this season. | Last crop. | Previous crop. |
|---|---|---|---|---|---|---|---|
| Virginia, | *20,000 | 28,000 | 7,000 | 9,500 | 27,000 | 37,500 | 33,000 |
| North Carolina, | *26,000 | 24,000 | 2,500 | 4,500 | 28,500 | 28,500 | 36,500 |
| South Carolina to 1st May (by receipts at Charleston and from Georgetown at New York deducting receipts from Georgia,) | 149,500 | 146,000 | 24,500 | 28,000 | 174,000 | 174,000 | 185,000 |
| Georgia to 1st May, (by Savannah and Darien ex'ts and stocks at Savannah, Augusta and Macon, deducting 1st Oct. stocks), | 214,000 | †220,000 | 30,000 | 53,500 | 244,000 | 276,500 | 230,500 |
| Florida, (by receipts at New Orleans and New York only), | 19,500 | 14,000 | 10,500 | 8,500 | 30,000 | 22,500 | 13,000 |
| Mobile (by receipts to 27th April), | 113,500 | 117,000 | 19,500 | 9,000 | 135,000 | 105,000 | 113,000 |
| Louisiana, Mississippi and Lake (rec'd at N. O. 27th April), | 285,000 | 185,000 | 25,000 | 21,000 | 310,000 | 206,000 | 253,000 |
| Tennessee and N. Alabama, (received at N. O. 27th April), | 59,000 | 49,000 | 61,000 | 66,000 | 120,000 | 115,000 | 179,000 |
| Arkansas, &c. (received at N. O. 27th April), | 2,700 | 1,000 | 2,200 | 1,000 | 5,000 | 2,000 | 1,000 |
| Total, | 891,200 | 784,000 | 182,300 | 201,000 | 1,073,500 | 988,000 | 1,037,000 |

* Not accurately ascertained, may be a little more or a little less.
† Probably.

AMERICAN IRON.

Many of the readers of the REGISTER will recollect, that, when discussing the tariff question some time ago, we made some important explanations as to the different qualities of iron, and used certain pointed remarks, because that Mr. *Hayne*, of S. Carolina, and Mr. *Tyler*, of Virginia, had ignorantly adopted some scandalously false statements which had been made concerning the duties payable on iron, regard being had to the *quality* of the domestic and foreign article. It is not worth while to review the facts; but the truth is, that the British iron, which these gentlemen spoke of, as compared with American iron, to shew the "excessive" duty paid on the former to protect the manufacture of the latter, was, and is, altogether a different article— as different as negro cloths manufactured from old clothes, are from domestic cloths made out of the wool of "native" American sheep; as the following interesting article extracted from the (Philadelphia) "Pennsylvanian" of the 25th ult. will shew:

*Interesting experiments on the tenacity of iron.* We witnessed on Thursday afternoon, in one of the apartments of the Franklin institute, a series of very interesting experiments on the tenacity of iron, conducted by Mr. Johnson, a scientific gentleman, attached to that establishment.

It seems that during the last few years, the frequency of steamboat explosions on the waters of the Mississippi, and the consequent destruction of life and property, have turned the attention of congress to the subject, with a view of arriving, by experiment, at some result calculated to abate the evil, so far as legislation can interfere in so valuable a purpose. Some years ago, a western member introduced a resolution, which passed congress, authorising the secretary of the treasury to expend a stipulated amount in constructing machines to perform a series of experiments on the tenacity of iron, or other metals, used in the construction of steam boilers. A scientific gentleman of this city, was selected for the purpose; and a machine was constructed to conduct the experiments, which is now in successful operation in an upper apartment of the institute.

We learn from those qualified to judge, that this machine is far more complete than any thing of the like nature, either in England or France. The experiments made upon the tenacity of iron in both those countries, have been meagre and unsatisfactory, compared to what has already been achieved in this city.

It is impossible to convey to the reader any satisfactory description of the machine in question, which is a model for neatness, accuracy and despatch. It is constructed too, in such a way as to make experiments on the metals under any degree of temperature, from that of the atmosphere up to 500 degrees above *zero* in Fahrenheit. In this equal applicability of the apparatus to iron in a cold or warm state, it possesses a decided advantage over any experiments yet made either in this country or in Europe.

One of the most remarkable and interesting laws of nature, which have already grown out of these experiments, is the fact that the tenacity of good iron is increased by the application of a degree of heat under 400 or 450 degrees. The popular belief has been, that iron heated to that degree, is rendered less strong; or, in other words, its tenacity is impaired in a ratio equal to the heat applied. Such is now ascertained not to be the fact, within the limits of *zero* and 450 degrees.

On the occasion referred to we witnessed the experiments made on several bars of American iron, manufactured in different parts of the country. One bar, in particular, of Tennessee manufacture, was submitted both to the hot and cold process in succession, and it exhibited a tenacity equal to that of any iron manufactured in the country. To express it in scientific language, it ranged from 59,000 to 64,000 pounds to the square inch, increasing under a degree of heat varying from the atmosphere to 450 degrees; for the heat under 450 degrees gives it invariably a small additional tenacity.

On inquiry, we found that this iron was the manufacture of the Cumberland iron works, situated on the Cumberland river, 100 miles below Nashville, in Tennessee

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—a large iron foundry, consisting of a rolling mill, two blast furnaces, two forges, &c. &c.

The records of a number of experiments on Juniata, Pittsburgh and other iron, were shown us, and, with some exceptions, the best Pennsylvania and Tennessee iron exhibit the same qualities. The iron of Connecticut is also remarkable for it tenacity, but we understand that New York iron had not yet been submitted to experiments. One remarkable fact we were made acquainted with. It is this: *the most ordinary American iron is equal to the best British—and the best American is equal and frequently superior to the best Swedish or Russian that can be imported.* These facts are encouraging to American science and art.

We understand that these interesting experiments are conducted in the afternoon of every Thursday and Saturday, and are open for the inspection of the lovers of science and the useful arts.

An extremely valuable report of these experiments is now preparing to be presented, through the secretary of the treasury, to the next congress.

## CURVED ROADS AND LOCOMOTIVES.

The invention spoken of in the following communication, (says the Baltimore Gazette), is not new in principle—it is a part only of the *combination* claimed to be invented by Mr. James Wright of Columbia in Pennsylvania, for the purpose of causing rail road cars to pass with equal facility on curved or straight roads, for which Mr. Wright obtained a patent in September, 1829. A *vibrating axle* was also necessarily a part of the invention of Mr. Ross Winans, in the construction of carriage wheels of reduced friction, for which he obtained a patent in October, 1828. The right of Mr. Stevens might therefore be questioned if he were to obtain a patent for using a vibrating axle on a rail road car.

*From the United States Gazette.*

*Mr. Editor*—I was yesterday in crossing New Jersey, compelled to stop by the way and was so much gratified with the operations of a locomotive engine on the Camden and Amboy rail road, that I avail myself of your columns to make it known to the public.

This engine I undertand is the second one completed for this company by Mr. Stevens, with improvements on the English engine imported by them. Six or seven more it is said will be added in a few weeks, when this species of power will be used on the road. This engine though only put up on Monday and never before worked on a road, yesterday run from Amboy to Bordentown in the most admirable manner. The distance from Highstown to Bordentown was performed at the rate of 18 miles an hour, the speed was occasionally increased to thirty miles and could evidently have been very much accelerated.

My object however in noticing it is to call public attention to an invention by which all difficulty from curvation in rail roads are overcome, and the advantage is so obvious, that one is astonished in looking at it that the idea has never before occurred to those interested in the subject. The difficulty from curves in the line of a rail road has arisen from the axle of the wheel of the carriage being stationary—their tendency to a direct line and the consequent increase of frietion from the action and lateral pressure of the flanges of the wheel upon the edge of the rail. In carriages drawn by horses the draughts has a tendency to remove the difficulty by inclining the carriage to the direction of the line which is pursued by the horse. It was necessary to overcome it altogether to enable a carriage to run as *free* on a curve as on a straight line. By the improvement alluded to this desideratum is attained.

I am no mechanic but perhaps can make myself sufficiently explicit to be understood, the improvements consist simply in a *change in the mode of attaching the axle to the carriage.* The boxes instead of being stationary in the frame of the carriage, work upon a *sliding plane* so as to admit of a change in the position of the wheels. The ends of the axle run in a strong frame work which is projected in front of the carriage and is there attached to the axle of two smaller wheels, as the carriage is propelled forward these *guide* wheels follow the direction of the track, and always preserve the parallelism of the carriage wheels with the rails. I witnessed several experiments on the most severe curves on the line. The result was uniform and the success complete. The flange never touched or run near the rail. It was manifest on an examination of the wheels at Bordentown that this had been the case throughout, although the curves had purposely been passed at the highest speed of the engine. I understand that this was but a repetition of prior experiments made with another engine on a carriage of the same construction with which a train of ten cars, besides the tender and a weight (exclusive of the carriage) equal to 340 passengers was propelled without the slightest impediment over all that portion of the line from which any difficulty could be anticipated.

I presume a patent has been, or will be obtained by Mr. Stevens to secure the right to this valuable invention.

A FRIEND TO IMPROVEMENT.

*June 12, 1833.*

## BOSTON INSTITUTION FOR THE BLIND.

*Boston, June 1, 1833.*

Hon. *T. H. Perkins*—

Dear sir: Mr. Prescott having laid before the trustees of the New England institution for the education of the blind, your proposal to convey to that corporation your estate in Pearl street, provided the sum of $50,000 should be raised from other sources in the course of the month of May; they immediately proceeded to take measures to comply, if possible, with this condition, and thus secure to the institution [illegible] of-fer.

The undersigned were appointed a committee on the part of the board, to prepare a circular and solicit subscriptions. The period within which the sum required was to be raised has now expired, and the committee having performed the duty assigned them, beg leave to present you the following statement:

Amount of subscriptions in the city of

| | |
|---|---|
| Boston | $33,310 |
| Salem | 1,150 |
| New Bedford | 1,000 |
| Hartford, Conn. | 1,300 |
| Nett proceeds of ladies' fair, Boston | 11,400 |
| " " " Salem | 2,957 |
| | $51,117 |

An additional amount has been subscribed in New Bedford, Springfield and Worcester, but as the subscription papers have not been returned, the committee are unable to state it precisely.

In laying before you, sir, this gratifying result, the undersigned have great pleasure in acknowledging the ready and efficient aid afforded them by their fellow citizens in general. They are under particular obligations to the committee of gentlemen who volunteered to take charge of the subscription paper, to whom the community is greatly indebted for their exertions. The proceeds of the ladies' fair amount to nearly a fourth part of the whole sum. Considerable as is this contribution, the manner in which it was obtained constitutes its highest value. The enthusiasm with which our whole population repaired to Faneuil hall on that occasion—the touching nature of the appeal—the associations of the place, and the propriety and good taste of the arrangements, combined to render the scene in a remarkable degree interesting and impressive.

These circumstances altogether, convey, sir, the most acceptable tribute of thanks that can be offered to you, since they furnish conclusive evidence that not only the inhabitants of Boston, but our fellow citizens of the neighboring towns, and of other states, enter fully into the motives which prompted you to this splendid act of beneficence.

The committee feel that they can add nothing to this unequivocal expression of public sentiment. They can only thank you in behalf of their associates, for the generous aid you have extended to this charity, and assure you that they will endeavor to make such use of it as shall deserve the approbation of yourself and the community. Very respectfully, your obedient servants,

EDWARD BROOKS,<br>
JOHN D. FISHER,<br>
WM. P. MASON,<br>
WM. H. PRESCOTT, } *committee of trustees.*

—

*Boston, June 9, 1833.*

To Messrs. *Edward Brooks, John D. Fisher, Wm. P. Mason, Wm. H. Prescott,* a committee of the trustees of the New England institution for the education of the blind.

Gentlemen: I received your letter yesterday on the subject of the "New England institution for the education of the blind," by which I am informed that upwards of fifty thousand dollars have been raised by the trustees in aid of that institution. In the confidence that this condition, annexed to the donation of my estate in Pearl street, would be met by the public in the month of May, I executed a deed of the estate and lodged it in the hands of the hon. William Prescott and William H. Gardiner, esq. to be delivered when they were advised that the sum named had been subscribed; who will deliver the deed to you upon application.

Hoping and believing that all the good anticipated by those who have subscribed to this interesting establishment may be realized, I am, gentlemen, respectfully, your obedient servant,

T. H. PERKINS.

[The deed above referred to has been delivered to the trustees, and consequently the elegant edifice which has long been the residence of the liberal donor, is now the property of the institution.]

## DOCKING OF THE DELAWARE.

*From the Norfolk Herald.*

The docking of the Delaware 74, took place, agreeably to previous notice, on Monday morning, [17th June] in the new dry dock at Gosport. The arrangements previously made were carried into effect with the utmost precision—no accident nor oversight caused a moment's delay; the huge floating castle was accurately adjusted in the centre of the dock, presenting a grand spectacle to the thousands of spectators who surrounded her. Presently the steam engine for pumping the water from the dock was set in motion, and the noble ship settled down till her keel rested on the blocks. Then commenced the work of applying props to either side, to preserve her level; and successive

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rows of these were affixed as the water was drawn off, until at last she was left "high and dry," standing fast and upright in the position in which it was intended to place her, and fixed with as much accuracy as if she had been lifted and placed there by a giant hand. The operation consumed the remainder of the day, and yesterday the dock was literally *dry*.

Thus has this stupendous work been completed, and the anxious and interesting operation of applying it to its intended purpose happily accomplished, under the direction and superintendence of its [illegible] skilful engineer, col. *Baldwin*, to whom too much credit cannot be given for his successful consummation of so arduous, responsible and difficult an undertaking. In viewing the work as it now appears, in its perfect state, the mind is excited to admiration by its magnitude and beauty; and the practical evidence which it presents of its great utility, will convince any one who has an idea of the expense of "heaving down" a seventy four, that however great the cost of this work may be, it is economy in the end. The Delaware was coppered twelve years ago, but will require it again, we should judge, before she can go to sea. Some breaches have been made in her old copper (which appears to have not been of the best quality) through which that destructive enemy, the worm, has perforated her planks, and in several small places eaten its way entirely through them.

A vast concourse of spectators were present to witness this novel and interesting scene, of whom a large proportion were ladies, from Norfolk, Portsmouth, and the neighboring country. We must do justice to the gallantry as well as science of col. Baldwin on this occasion; he had set apart the second story of the engine house, which commands a full and near view of the dock in front, and erected galleries, covered with sails and decorated with evergreens, on each side of the dock, for the exclusive accommodation of the ladies.

The doors of the hospitable mansion of commodore *Warrington*, commandant of the navy yard, were thrown open on the occasion, and the worthy commodore gave a hearty welcome to all who called to partake of the ample store of refreshments which he had provided for their entertainment.

As the ship passed into the dock, a salute was fired by the U. S. frigate *Java*, (receiving ship) under the command of lieut. Fitzhugh, which was anchored off the navy yard, and splendidly decorated with the flags of all nations. Commodores *Rodgers* and *Morris*, commissioners of the navy board, were present at and for some days previous to the docking of the Delaware.

It is to be regretted that the time announced in the papers for the docking, was anticipated, by which the great mass of visiters were disappointed in their ardent desire to see that part of the exhibition—though, in truth, there was nothing remarkable in it—nothing more than hauling a vessel into dock, which may be seen every day. We learn, however, that the circumstance was accidental; the tide served before the hour appointed for the ship to go in, and we are told (though we knew it before) that "time and tide wait for no man." Our readers may be assured that the dock with the ship in it, as we said before, "high and dry," is much better worth seeing than the ship passing into the dock, or after she was docked, previous to pumping out the water.

Captain *Henry E. Ballard*, appointed to the command of the U. S. ship *Delaware*, arrived here yesterday morning in the steamboat Columbus, from Baltimore.

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The *Delaware* is called a 74—but capable of throwing as great a weight of shot as a British ship rated at 100 guns. She is, however, much less than the Pennsylvania, and perhaps some others of our heavy ships.

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*From the Boston Atlas of 25th June.*

Docking of Old Ironsides. That splendid structure, the dry dock at the navy yard in Charlestown, commenced in June, 1827, and lately finished, was opened yesterday morning at 5 o'clock to receive the frigate Constitution. The veteran Isaac Hull had the command of the ship, and, with his speaking trumpet in hand, trod the deck, as well he might, with a proud spirit. On board the frigate, were the vice president, the secretary of the navy, the secretary of war, hon. Joel R. Poinsett, of South Carolina, his excellency governor Lincoln, his honor the lieut. governor, and many distinguished strangers, who are now the guests of the city. At half past 5 a salute was fired from a battery in the yard, and the gates of the dock were opened. In about 25 minutes the gallant ship was safely lodged within, and the hundred horse power engines immediately commenced pumping out the water, the Columbus 74 paying a grand salute to the occasion with her long thirty-two pounders.

After the entrance of the Constitution into the dock, com. Hull delivered three canes to the secretary of the navy, made of the original timber of the ship, which he stated were intended for the president, gov. Lincoln and Mr. Poinsett, of South Carolina.

Mr. Woodbury observed that he felt much pride in being selected as the individual to deliver the presents to the distinguished personages for whom they were designed. It added to his proud satisfaction to do the act on the deck of a ship that had accomplished so much for our national character, and which was so justly a public favorite. So far as it was in the power of man to preserve a vessel which was an emblem of this mighty republic, and from whose bond of union it derived its name, be hoped that it would be done.

He regretted deeply that the indisposition of the president prevented his being present on the occasion, and he would therefore place in the hands of the vice president the gift designed for the chief who was richly entitled to the appellation of "first in war, first in peace, and first in the hearts of his countrymen."

The presents were then placed in the hands of the respective gentlemen, who returned their thanks in an appropriate manner.

Commodore Elliott, it will be recollected, commanded the naval station at Charleston during the last winter, and had ample opportunity to witness the noble stand taken by Mr. Poinsett against the nullifiers and in defence of the federal constitution.

The gift to this eminent patriot could not therefore have been otherwise than gratifying. In making his acknowledgments, he said that he was proud to be a citizen of these United States, and he was also proud that he was a native of South Carolina. Though some of the leading politicians of that state had pursued a course that was at war with the existence of the union, he was happy in having an opportunity to say, that their voice was not the voice of the people.

Commodore Hull gave his orders on board in true sailor-like character. To his remark that he was not at home in making speeches, commodore Elliott replied, "No matter, my friend—make your speech as short as your fight, and all will be satisfied."

[In two hours after the entrance of the ship, she rested upon the stone blocks prepared to receive her, and, in a short time, the dock was dry.]

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## MILITARY ACADEMY AT WEST POINT.

Report of the board of visiters to the general examination of cadets of the United States military academy, in June, 1833.

*To the secretary of war:*

The board of visiters who have been invited to be present at the general examination of the cadets of the United States military academy, in order that the war department may be correctly informed of the condition and management of the academy, have attended the examination of all the classes and are perfectly satisfied with the progress made by the cadets in the several departments of their studies in which they were examined.

At the request of the superintendent, a committee appointed by order of the board, assigned the subjects to each individual of the class, in order to avoid all suspicion of the examining professor having adapted the subject to the capacity and attainments of the cadet, so as to exhibit an appearance of greater proficiency than the class really possesses.

The first class was examined in military and civil engineering, in mineralogy, rhetoric, ethics and constitutional and national law, and in infantry and artillery tactics; and in each of these departments exhibited proofs of their application and attainments, and of the zeal, capacity and industry of the professor and assistants. The cadets of this class will leave the academy well fitted to fulfil the great objects of the institution, viz. to introduce into the armies of the United States all the modern improvements in the art of war, and the high state of discipline which distinguishes the best armies of Europe, to disseminate throughout our country a knowledge of military tactics and engineering, so as to furnish the means of rendering our militia as well as our regular army an efficient arm of defence in time of war; and to provide officers properly instructed and fully capable of superintending the construction of fortifications for the permanent defence of our maritime frontier, and of works connected with the internal improvement of the country.

The cadets of the second class were examined in chemistry and natural philosophy, and showed a degree of proficiency very creditable to the professors and assistants, who have been charged with their instruction in these departments. The board would here remark, that in their opinion it would be expedient to establish a permanent professor of chemistry. The important discoveries made and still making in this department of science, and its application to the useful arts, as well as its connexion with the means of preserving the health of the soldier in camps and barracks render it important that it should be taught in this academy, and it is obvious that it requires great application, experience and long practice to teach a science which must be illustrated by experiments made before the pupil. It is believed to be difficult to acquire the art of instructing youth in any department of literature or science; but it is especially so in those which require skill in demonstrating the theories and principles by experiments. Instruction in such branches ought not to be entrusted to officers liable to be frequently removed.

The third class were examined in mathematics and French. There is no institution that we are acquainted with where this department of science in its higher branches is more thoroughly taught than in this academy. The high attainments and unwearied industry of the professors and assistants together with the great application and capacity of the cadets of the third class were exhibited throughout the course of this examination in a manner highly satisfactory to the board.

The examination in French was very creditable to the teachers and cadets of this class. They appeared to be well instructed in the grammar of this difficult language, conjugating the regular and irregular verbs very correctly, and they translated it into English with great facility, which is all that is deemed requisite: the principal object of this course being to enable the cadet to consult the best French authors on military science.

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As there are at least 160 students to be taught in this language, it is believed by those best acquainted with the subject, that another teacher in this branch ought to be added to those already employed.

The fourth class were examined in mathematics and French. The cadets of this class evinced a degree of proficiency in the elementary branches of mathematics highly creditable to the gentleman who is charged with this department of their studies. Whatever may be the talents and application of the student, he cannot make any proficiency in this essential department of study, which may be considered as the foundation of all military education, unless his studies are directed by a person not only profoundly versed in the science, but possessed of great experience in the art of instructing youth; and the board would take this opportunity of remarking that to remove such an instructor from the academy for the purpose of substituting another, who, whatever his talents and acquirements may be, does not possess the same experience and practice in teaching, cannot but be prejudicial to the interests of the academy, and would be unjust to the cadets.

The government exacts from them, especially in the department of mathematics, a degree of proficiency, which they cannot obtain without the assistance of competent instructors; and they may be exposed to be turned back as deficient, or to be dismissed as incapable of going through the course of studies in the academy, because the instructor provided for them is incompetent or inexperienced.

The board is induced to make these remarks from having had before them a late order of the commander in chief, containing regulations sanctioned by you, which, if applicable to this academy, would seem calculated to affect very materially the instruction of the cadets. It appears to them that the regulations requiring all officers, who have not served with their regiments for three years to join their respective corps, as it will remove nearly all the assistant professors from the academy, would be attended with very great inconvenience at any time; and at this period, when the superintendent, who has so long presided over this institution, with such signal ability and success, is about to retire, such a change would seriously embarrass his successor. This embarrassment will be increased by the effect of the regulation, which takes from the superintendent the power of nominating the officers to be detached for that service. He is supposed from his situation to be better acquainted than any one else with the acquirements and moral character of the graduates, and as the responsibility rests with him, it appears but just that he should have the power of selecting his assistants. It is deemed important, that the course of studies should be steady, and keep pace with the improvements which daily take place in the progress of science. This would be impracticable if the assistant professors were frequently changed and selected from officers who had graduated prior to the introduction of the improvements now taught in this institution throughout every department of science. Indeed it would appear advisable that the professors and assistant professors, who have evinced so much capacity in imparting instruction to youth, should be offered every inducement to remain by being permanently attached to the institution, and receiving some additional allowance for services materially affecting the future character and efficiency of the army, and which, if they were rendered in any literary institution in the country, would command much higher pecuniary rewards. The board attended the battalion, light infantry, and artillery drills, and had every reason to be satisfied with the instruction of the cadets in their field exercises. They were present likewise in the laboratory when the cadets exhibited their proficiency in pyrotechny, and they subsequently saw them throw shells, and fire at the target with light and heavy pieces of artillery; all which they executed with a precision rarely equalled, and not surpassed in any school of practice in Europe.

This is the more remarkable from the state of the pieces used for practice. They are very defective, and the board recommend that the several pieces of ordnance which are required for the instruction of the cadets by their able and scientific instructor, should be furnished of the best quality and most approved constructions.

Much credit is due to the officer charged with the instruction of the cadets in this department. He has compiled a practical treatise on military pyrotechny, and translated an excellent elementary treatise on the forms of cannon and various systems of artillery, and another on the theory and practice of gunnery, from the French of professor Persy, of Metz; all of which, with numerous plates illustrating the subjects, have been published in the lithographic press in the academy.

The cadets are encamped two months in every year, and during that period are instructed in all the duties of the soldier in active service, in the use of instruments, and in the application of the different branches of science necessary to a knowledge of their profession; whether this practical course of the application of science to the purposes of military and civil engineering may not be usefully extended is worthy of consideration.

The library of the academy contains a very valuable collection of works adapted to the peculiar objects of this institution. It is rich in works on military science and on civil engineering, and contains a valuable series of military history and the best geographical and topographical maps of the states of Europe to illustrate this important study. It is true that in works on polite literature it is as yet rather deficient, although the selection has been very judicious; but however desirable it may be to augment the number of volumes on miscellaneous subjects, the real object of the institution must be kept steadily in view, and it will continue to be the duty of the superintendent to purchase, in preference to all others, books relating to the sciences taught in this academy, and to supply the necessary works on architecture, chemistry, geology, mineralogy and moral science, in which the library is still very deficient.

The philosophical apparatus and astronomical instruments are of the best kind and of the latest invention, but many more are required fully to illustrate the course of natural philosophy.

The building which contains the library and philosophical apparatus is both unsafe and unstable, and the rooms are so small and inconvenient as not to admit of the necessary arrangement and display of them for useful purposes. Many instruments of the philosophical apparatus, which are delicate in their structure and uses, and require to be very nicely and accurately adjusted, are exposed to be injured by the constant and violent shaking of the edifice, and the finer astronomical instruments cannot be used from the same reason and from want of space. A large telescope is placed in a detached building entirely unsuited to its uses.

For these reasons and from the intrinsic value of the books and instruments, the board recommend the erection of a fire proof building with an observatory annexed to it.

Upon a careful and minute examination of the public buildings of the academy, it has been found, that they are inadequate to the purposes of the institution, and are not only badly constructed, but entirely too limited to afford comfortable or proper accommodations for the cadets who are lodged in them.

A number of cadets are from necessity crowded into a small room, which must produce a prejudicial effect upon their studies, their morals and their health. That they have been exempt hitherto from the diseases which are engendered in confined and crowded apartments, is due altogether to the admirable system of internal police and strict attention to cleanliness, which distinguish every department of this institution.

There is besides a want of accommodations for the assistant professors; and the quartermaster, paymaster and adjutant are without offices. For all these purposes nearly fifty new rooms are required. The board would recommend, that the superintendent be instructed to furnish a plan of a building capable of uniting all the accommodations required by the officers and cadets now at the academy, and of being extended whenever the government may think it expedient to enlarge this institution, and render it proportionate to our vast territories and rapidly increasing population; and that whenever it may be thought proper to erect the building now called for, it may be so constructed as to form part of an edifice hereafter to be completed with more extensive accommodations.

On examining into the fiscal concerns of the academy, the board had every reason to be satisfied, that great economy has been exercised in the administration of this department of the institution, and cheerfully bear testimony to the order and regularity with which the books are kept, and the receipts and disbursements accounted for, as well as to the integrity and judicious economy with which the finances of the academy are administered.

There are several subjects, the importance of which is fully understood and acknowledged by the superintendent and academic staff, but which are not taught in this institution for want of time. In military and civil engineering, it is thought that the following might be introduced with great advantage to the cadets: A course of applied mechanics on the investigation and description of some of the most usual machines employed in the construction of public works. Some practical exercises in the field, such as laying out and throwing up some of the works of a campaign which are most ordinarily used; batteries, trenches, cavaliers, the manner of conducting saps, the construction of gabions and fascines, &c. &c. and a course of topography as applied to military reconnoissances; indeed, such is the vast importance of this branch, that a new department, embracing the whole subject, could not fail to be very advantageous to the military student.

In the department of natural philosophy, many important practical illustrations might be advantageously introduced. At present, the experimental part of the course is principally confined to the illustration of such facts and general principles as may be established by experiments exhibited in the presence of the entire class. These illustrations are attended with the most beneficial effects, as they serve to make a very forcible impression on the mind of the student, but they are alone insufficient. It is frequently important that the student should not only be acquainted with the name and use of an instrument, but that he should be able to employ it himself. This can only be done, when sufficient time is allowed for each student to make frequent use of such instruments under the immediate direction of the professor.

This deficiency is particularly felt in the course of astronomy, where an intimate acquaintance with the use of instruments, and the habits of submitting the data furnished by observation to the process of calculation, are essentially necessary to enable the student to apply his theoretical knowledge to useful purposes. The instruction in practical astronomy is altogether too limited. The time which can be devoted to this object being scarcely more than sufficient to permit the professor to make the students acquainted with the objects of the few instruments in the possession of this department. This is certainly a great defect; important lines are frequently required to be established

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as boundaries between states and territories of neighboring nations, where the accurate use of instruments is of the last importance, and the cadets of this academy ought to be practically taught to use them with perfect correctness.

The principles of strategy or grand tactics might be taught with advantage.

It is true that there is no work treating of those subjects which is sufficiently condensed and at the same time perfectly unexceptionable in its principles and illustrations; but the same industry and talent which have furnished text books in other departments of military science, might be employed for this purpose with great success, and furnish a series of lectures embracing a definition of the technical terms employed and of such general principles as admit of the clearest and most exact illustration.

It appears always to have been desirable that cavalry tactics should be taught at a great national military academy. This branch has hitherto been totally neglected; but it has become more essentially necessary since this arm has been added to the regular army of the country. The service of cavalry and horse artillery ought to form a part of the practical instruction of this academy, and the board respectfully recommend this subject to your consideration. As the cadets are now occupied sedulously every hour of the day in the prosecution of the studies now taught in this institution, it will be necessary, if these subjects are deemed of sufficient importance to be added to the present course, that the term of the academic study should be extended—or that the qualifications required on entering the academy should be made much greater than they now are. They are now lower than is required by any literary institution in this country, and no doubt the frequent dismissal of those young men, who cannot keep up with their class, arises principally from this cause. Parents ought to be informed of the great advantage their sons would derive the first year of their course of this academy by being well grounded in the classics, in arithmetic and algebra, and in the rudiments of the French language.

The manner in which the cadets are furnished with clothing; was a subject of inquiry by the board, who were satisfied that this was done in the most economical manner. Their mess room was inspected while the cadets were at their meals, and the board were satisfied that the steward fulfilled his contract faithfully, and supplied the tables with abundance.

An inquiry having been made into the manner in which the cadets are supplied with the class books and stationery, the board are satisfied, after a careful investigation, that the cadets are supplied with all such articles at a lower price than they can be purchased in New York and in the most convenient, just and economical manner; and that the arrangement made by the superintendent in this particular, is marked by the same prudent economy, order and intelligence, which characterize the management of the institution.

The board having learnt that the present superintendent of the military academy, whose health has suffered from his close attention to the affairs of the institution, has, by his own solicitation, been called to the performance of other duties, cannot forbear to express the very high sense they entertain of his merit and services during the long period of his command of the station.

To the knowledge acquired with this view by col. Thayer, the military academy of the United States owes its present admirable organization; and to his zeal, capacity and unwearied attention to his duties, is to be attributed the high state of discipline and improvement of the institution. To his exertions we owe in a great measure the success of this establishment, the extensive usefulness of which needs only to be understood by the nation to be fully appreciated.

Independently of serving to disseminate over the vast territories of the United States, knowledge of a description which cannot enter into the usual course of studies in other academies, and furnishing the means of rendering most effective our army and militia, of securing our frontier and improving the communications throughout the states, it is calculated to elevate the moral state of the military profession in our country, the importance of which to the general interests of the nation, cannot be too much insisted upon.

The annals of history prove, that success in arms is one of the most faithful sources of personal popularity, and in a country where the soldier is still a citizen, and may be called upon to share in the civil government, or rise to the highest honors of the state, the standard of study and discipline cannot be too high, which developes his talents and forms his character. The same annals show that at the close of successful wars, the liberties of a country depend in a great measure upon the character of its armies—at such a period the fortunate soldier possesses power, and great and probably well earned popularity, and if his character is not so elevated by nature or education as to lead him to prefer the solid fame of having preserved the liberties of his fellow citizens to the glitter of false ambition, and to sacrifice all personal views of aggrandizement to the good of his country, he may plunge the state into anarchy or rivet upon his fellow citizens the chains of despotism. If ever the liberties of the states of Europe shall be recovered, it will be effected through the improved condition, character and education of their officers and soldiers; and while we indulge the hope that the liberty of these states rests upon too firm a basis to be overthrown by the ambition of those who compose our armies, it cannot be concealed that if they were not instructed, their ignorance and depravity might seriously endanger the peace of the country.

The board have observed with some regret, that the old works in the neighborhood of the academy have been in some instances, disturbed. They ought, in their opinion, to be preserved as monuments of the glorious struggle, which secured our independence. The contemplation of such memorials cannot fail to have a beneficial effect. They are calculated to inspire all Americans with sentiments of exalted patriotism, and to remind them of the extraordinary efforts and great sacrifices made by our forefathers to achieve the liberty and independence of the country—and cannot fail to lead them to form virtuous resolutions and to reflect, that as heirs of the immortal fame of their ancestors, they are bound to emulate their glorious career, and preserve their bright inheritance with the same inflexible courage and undeviating purpose.

STEPHEN VAN RENSSELAER, *president.*

| | |
|---|---|
| CHARLES COFFIN, | J. R. POINSETT, |
| J. R. BURDEN, | ERASTUS ROOT, |
| J. S. SKINNER, | JOHN FORSYTH, |
| LEVIN GALE, | JOSEPH C. YATES, |
| JAS. RUSSELL, | JAMES FENNER, |
| T. HARTLEY CRAWFORD, | JOHN A. TOMLINSON, |
| E. BANKS, | F. B. POVALL, Virginia. |
| JOHN R. FENWICK, *brig. gen.* | R. POLLARD, Virginia. |
| JAMES BANKHEAD, | G. READ, Delaware. |
| | J. ROGERS, Delaware. |

JOHN NORVELL, *secretary.*

The following list, says the American, presents the names of the first five cadets of each class attached to the army register, conformably to a regulation for the government of the military academy, requiring the names of the most distinguished cadets, not exceeding five in each class, to be reported for that purpose after each annual examination.

The cadets of the first class having completed their academic course, have left the institution.

| | |
|---|---|
| *First Class*.... | Frederick A. Smith, Massachusetts. |
| | Jonathan G. Barnard, do. |
| | George W. Cullum, Pennsylvania. |
| | Rufus King, New York. |
| | Francis H. Smith, Virginia. |
| *Second Class*... | William Smith, New York. |
| | John Sanders, Florida. |
| | Robert Allen, 1st, Maryland. |
| | Harrison Loughborough, Kentucky. |
| | William T. Stockton, Pennsylvania. |
| *Third Class*.... | Charles H. Bigelow, Massachusetts. |
| | Charles J. Whiting, Maine. |
| | John M. Legate, New York. |
| | John H. Martindale, do. |
| | Thomas T. Gautt, Maryland. |
| *Fourth Class*... | James L. Mason, ———. |
| | Danville Leadbetter, Maine. |
| | Alexander Hamilton, New York. |
| | Barnabas Conkling, do. |
| | Joseph R. Anderson, Virginia. |

## NEW YORK CANALS.

*Canal collector's office, Albany, Dec. 24, 1832.*

The whole quantity of down freight, upon which toll is charged by weight, that was conveyed on the New York canals to the city of Albany, during the season of canal navigation in the year 1832, amounts to one hundred and nine thousand, three hundred tons, estimating a ton at two thousand pounds, and consists principally of the following articles.

ARRIVED—422,695 barrels of flour, 19,091 do. ashes, 21,274 do. beef and pork, 23,117 bushels salt, 21,285 barrels whiskey, 1,274 hhds. do. 145,960 bushels of wheat, 57,929 do. coarse grain, 151,014 do. barley.

Also the following property upon which toll is not charged by weight.

15,224 cords of wood, 55,569 feet of solid timber, 36,030,594 do. sawed lumber.

The quantity of merchandise, &c. that was conveyed on the canals from the city of Albany, was forty six thousand seven hundred and ninety-one tons, and the amount of toll paid thereon at this office, is two hundred and thirty six thousand six hundred and twenty eight dollars. The number of boats that arrived at and departed from Albany is thirteen thousand five hundred and twenty one. JOHN B. STAATS, *collector.*

The following schedule presents a comparative view of the freights on the canal arrived at Albany during the last four years.

| | 1829. | 1830. | 1831. | 1832. |
|---|---|---|---|---|
| Barrels flour | 260,520 | 396,900 | 427,021 | 422,695 |
| do. ashes | 18,558 | 25,671 | 19,342 | 19,091 |
| do. provisions | 13,241 | 22,008 | 16,805 | 21,274 |
| Bushels salt | 39,218 | 42,601 | 25,306 | 23,117 |
| Barrels whiskey, | 18,194 | 28,207 | 18,681 | 21,285 |
| Hogsheads do. | 3,744 | 1,420 | 1,875 | 1,274 |
| Boxes glass | 9,403 | 6,374 | 2,924 | |
| Barrels lime | 9,132 | 2,404 | 254 | |
| Bushels wheat | 266,287 | 209,011 | 134,321 | 145,960 |
| do. corn, rye and oats | 206,251 | 114,969 | 127,533 | 114,969 |
| do. barley | 132,164 | 182,783 | 177,624 | 151,014 |
| Cords wood | 18,008 | 12,976 | 15,193 | 15,224 |
| Feet of timber | 32,156 | 31,621 | 18,087 | 55,569 |
| M. shingles | 17,130 | 11,810 | 12,290 | |
| Feet of lumber | 28,180,884 | 25,832,142 | 40,569,719 | 36,030,594 |

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The amount of tolls received at Albany,

| | |
|---|---|
| In 1829 was - - - - - - - | $161,418 64 |
| 1830 - - - - - - - | 212,027 27 |
| 1831 - - - - - - - | 269,443 73 |
| 1832 - - - - - - - | 236,628 00 |

The decrease in 1832 as compared with 1831, is attributable to the cholera.

## CHESAPEAKE AND OHIO CANAL.

We copy the following neat abstract from the Baltimore "American."

The fifth annual report of the president and directors of the Chesapeake and Ohio canal company occupies one entire page of the ample sheet of the National Intelligencer of yesterday, It is an important and valuable document, but entirely too long for republication in this paper. We can only furnish an abstract of the principal statements, as to the progress of the work, its condition and prospects, and the finances of the company.

The prevalence of the cholera in the valley of the Potomac during last summer retarded the works, but notwithstanding that obstruction, the most costly part of the new line above Harper's Ferry, (14 miles in length), has been completed, bringing 26 miles more into use, which were formerly without water, so that by the first of July boats may enter the canal from the bed of the Potomac above Harper's Ferry falls, or from the Shenandoah, in the midst of them. The works above the falls have proceeded with like diligence.

The force employed on this part averaged, for the five weeks preceding the 18th of May, 2,700 laborers, 655 horses, mules and oxen, and the powder employed in blasting rock, 7,000 pounds a week. The entire force on the canal, for the same period, was 4,460 laborers, 1,048 horses, mules and oxen, and an average weekly consumption of 10,000 pounds of gunpowder.

The work done since the 1st of May, 1832, has cost $915,211 89, of which $753,019 26 was expended above the Point of Rocks, and $162,192 63 below. Of the latter sum $53,107 35 was expended in the city of Washington, and $21,220 72 at the Little Falls dams. This excludes cost of superintendence, land purchases, condemnations and incidental expenses.

The amount necessary to be done before the first of October next, in order to fulfil the contracts, and complete the line of 102 miles of canal and 15 miles of still water navigation, the report states in the following form, dating from the first of May last. At that time there remained to be done,

| | |
|---|---|
| For the line of canal, in Washington, | $11,740 28¼ |
| For that between the Point of Rocks and the head of Harper's Ferry falls, | 94,545 00 |
| For that above these falls, and below the ferry at Shepherdstown, inclusive of the lock just let, | 82,537 00 |
| And for that above Shepherdstown, | 513,958 22¼ |
| Making the total amount, | $702,815 51½ |

Some of these are stated as incidental works, the construction of which may be deferred.

To this sum must be added $12,500 for another lock opposite to Shepherdstown in compliance with the conditions of the Virginia subscription. The board has determined to transfer the locks above, to a point below and increase the canal *four* miles, diminishing the still water navigation that much, and thus add $100,000 to the cost of the canal. These sums, ($100,000 and $12,500), added to the aggregate above, give $815,315 51 as the estimated expenditures to be made between the first of May last and first of October next, to fulfil the contract. Nearly the whole line below Shepherdstown will be finished by the first of August, and the report anticipates that a concentration of all the force on the line above that point, would finish it in due time.

The amount of expenditures for the year ending May 1st ult. was $821,392 74 in the following proportions—For construction, $754,573 87; engineer department, $19,453 30; pay of officers, $6,935 50; lands $27,655 79, besides incidental expenses. A large amount, not included in the above, is retained by contracts as security for diligence and fidelity in the contractors.

The sums required from May first to October first, are stated as follows: The estimate of cost of construction as stated above is $815,351, which, added to the retained amount due contractors, is, exclusive of April estimate and the retained money of the month of May, &c.

| | |
|---|---|
| | $900,000 |
| To which add for these items, engineer allowances, expenses, &c. | 206,000 |
| Total sum required | $1,106,000 |
| To meet this the resources are:—cash, | 508,532 62 |
| Uncalled for and uncollected stock | 616,571 92 |
| Amount to be received from the rail road company, above the cost of graduating road, &c. | 170,000 00 |
| | $1,295,104 54 |

The report thus shows a surplus of $189,000, after completing 117 miles of canal and still water navigation. Upon the faith of this surplus, considering it applicable to the extension of the eastern division of the canal to Cacapon, they have directed the necessary location and survey. This sum is to be used to prepare the necessary dams and aqueducts in part, during the succeeding autumn.

The estimates for the remaining 75 miles of the eastern section of the canal are the next general head, preliminary to which the report enters into several statements to show the economy with which the work has been prosecuted. They show that exclusive of six miles below tide water, 100 miles of the canal, three of tow path beneath a cliff of rocks, and 11 of slack water navigation, have been made at an expense of less than $32,000 per mile, and that 42 miles above Harper's Ferry have cost, including land purchases, condemnations, and every thing but contingent expenses, less than $25,000 per mile.

At this latter sum is estimated the cost of the remaining 75 miles, making a total of $1,850,000—of which the pecuniary resources of the company, making due allowance for unavailable stock, do not at present supply more than $150,000; leaving, consequently, $1,700,000 to be hereafter provided.

To supply this deficiency, ultimately, much reliance is placed on the water rights granted by the charters of Virginia and Maryland, but any application to that resource is advised against, until the final issue of "the legal controversy, respecting its just extent, now depending, in the supreme court of the United States, and the issue of such efforts as the friends of the canal in Maryland, may make, to liberate the recent grant of that state from those restrictions which prevent it from being responsive, in terms to the preceding act of Virginia."

It is recommended that for the present, loans should be sought for on the future exercise of these rights, and confident expectations are expressed of future subscriptions by Maryland, Virginia and the United States. The compliance of the canal company with conditions annexed to the subscription of Virginia, and their acceptance of the compromise law of Maryland, in favor of the rail road company, are urged as giving them claims to further favor.

The report further contemplates the aid of the United States in the employment of the *army*, to tunnel the Alleghany mountains.

The tolls for the last year were $22,625 55, and the whole sum received from the commencement of the work $68,969 28.

The rest of the report consists of some speculations upon the future productiveness of the canal after it shall have reached the coal region, and a history of the compromise with the rail road company, in which the following paragraph occurs:—

When the canal shall have been completed, as the undersigned now confidently trusts it will be, without further embarrassment, while the rail road car is seen pursuing its rapid course to the south, and the canal boats steadily urging their course to the west, the line of but twelve miles for which these great works are brought in contact, by the late compromise, will dwindle into a point, not of collision between embittered rivals, but of union between generous friends, seeking, by different means, a common object—the public good.

## THE LATE COL. WM. MACREE.

COMMUNICATED BY ONE WHO KNEW HIM WELL.

*William MacRee* was a native of Wilmington, N. C. the son of capt. G. S. MacRee, of the continental line of that state. In the year 1803, at the age of 14 he was accidentally met by the late and venerated chief of the engineers, col. *Williams*, who, discovering in him an ardent and inquisitive mind, procured for him a cadetship of the military academy. In two years, *MacRee* was commissioned in the engineers.

At the commencement of the late war, he had obtained a majority in that corps. The war roused his genius and brought it to notice. His talents had been usefully employed at various points of the union, between Georgia and Canada. The annals of the frontier war at Niagara show that to *MacRee's* military genius and valor, gen. *Brown*, with just magnanimity, ascribed much of the best success of the army.

Peace found the virtuous and modest MacRee rewarded with brevets. In the following year the government associated him with the then major (now colonel) *Thayer*, in a mission to France, to collect the records of European military science and experience, for the use of the military academy; which service was most ably performed. In the year 1819, col. *MacRee* retired from the army to private life, from whence the government and individual states sought to draw his talents for prominent stations, which he modestly declined—finally accepting the surveyor-generalship of Missouri, &c. In the discharge of the duties of that troublesome and thankless office, preparatory to again retiring to privacy, his career in this life was arrested by cholera, in the 46th year of his age, at St. Louis, in May, 1833.

Colonel *MacRee* was distinguished by a highly cultivated mind, strong reasoning faculties, and a safe judgment: to which were united the talents of a general and the virtues of benevolence. His society was eagerly coveted; his conversation was most interesting. His retiring modesty and deference to others, made it difficult to draw him forth; but when the growing interest of a topic had excited his attention, his eloquence became alike attractive and instructive. Educated by and for the union, at an institution where sectional and personal objects are lost in a patriotic devotion to the whole union, entire and free, *MacRee* was never known to be a member of any political party.

From early youth his deportment was ever grave and dignified; his personal attachments few, warm and steady.

[*Nat. Int.*

## COLLECTOR AT NEW ORLEANS.

The committee appointed by the merchants and others of New Orleans, signers of a memorial addressed to the president of the United States, remonstrating against the official conduct of Mar-

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tin Gordon, collector of the port of New Orleans, are now engaged in accordance with the request of the secretary of the treasury, contained in the following letter, in preparing a specification of the facts upon which they rely to sustain the charges by them made in said memorial.

The committee request that persons disposed to make any communications on this subject, will address them to William Robeson, chairman of said committee, or to

W. A. GASQUET, *secretary.*

[COPY.]

*Treasury department, April 16th*, 1833.

GENTLEMEN—The president having read the memorial which was addressed to him by you, relative to the conduct of the collector of New Orleans, has instructed me to inform you that before he can form any opinion on the subject, he deems it proper that the particular acts complained of should be stated, and that the collector should have an opportunity to be heard in his defence.

You are therefore requested to state particularly the acts of tyranny, persecution and insult, and other improper conduct alleged to have been committed by him, towards whom, and at what times they were committed, and the names of persons given who have personal knowledge of the acts, and which you perceive are necessary to be stated, that the collector may have the proper means of defence.

A copy of your communication, and of this letter, will be this day transmitted to the collector, and it is recommended that if any specific charges in the form proposed be sent to the department, you should at the same time, furnish the collector with a copy. I am, very respectfully, your obedient servant,

LOUIS McLANE, *secretary of the treasury.*

Messrs. *W. L. Robeson & Co. and others, New Orleans.*

## PATENT RIGHTS—LAW CASES.

*From the American of May 31.*

We have received for publication the following detailed notice of the trial of the case which has occupied the U. States circuit court for this district during the last three weeks:

*James Wright, vs. the Baltimore and Ohio rail road company.* This case terminated on Wednesday, after a laborious investigation of twenty-five days. The plaintiff, in September, 1829, obtained a patent for the combination of the conical form of the edges of the wheels, and the vibratory motion of the axles, to make a rail road car travel with equal facility on straight and curved roads: and the action was brought for an alleged invasion of the patent right by the defendants. The only question was, whether the invention of the combination had been known and used, within the meaning of the act of congress, prior to the date of the plaintiff's patent: for, if so, his patent was void. To prove such a use and knowledge, the defendants offered in evidence—that the Winans' friction wheel, patented by the inventor, in October 1828, and the use of which they had purchased, could not be applied to the coned wheels in use on rail roads, at the date of the patent, without producing, as an inevitable consequence, the combination of cone and vibration, identical in principle with that claimed by the patentee: and that it *had* been so applied, anterior to the date of the plaintiff's patent. It was also proved, that the cone, on the edges of rail road wheels, was well known, and used, in England, as facilitating the turning of curves, long before the date of the plaintiff's patent, and the defendants contended, that a recovery, therefore, by the plaintiff, would deprive them of the use of a right, purchased in 1828, although the earliest date of the discovery of Wright only went back as far as the 1st day of September 1829, and although the originality and merit of Winans' invention was undisputed. Independent of this, however, the defendants offered evidence to prove that in January 1829, Winans went to England to perfect his friction wheel, and in March, 1829, applied it to the coned wheel cars, on the Liverpool and Manchester rail road, using the flanges on the outside, with the wheels loose on the axles; that after one or two trials he reversed the wheels, fastened them to the axles, *to see how the cone would act;* and thus, his friction wheels necessarily, having the vibration, produced the combination of the cone and vibrating axle; that, seeing immediately the success of the combination, he proceeded to make the calculations necessary to ascertain the cone that would be required for curves of 400 feet radius, the limit on the Baltimore and Ohio rail road, and in the month of June, 1829, built a car, with wheels coned for curves of 400 feet radius, with which various experiments were made to his satisfaction, to see among other things how its increased play would do on a *straight* road like the Liverpool and Manchester road, during the month of July, 1829. That this car was sold after the experiments made with it, was shipped to the Baltimore and Ohio rail road company, on the 28th of July, 1829, and reached the United States on the 22nd of September, 1829, and in the spring of 1830, as soon as rails were laid down for flanges on the inside, the car, thus imported, was put on the road, answered all the purposes contemplated by Mr. Winans, turned the curves by means of the cone and vibration, and was used until the wheels, which were cast of soft metal, not chilled, wore out on the coned part. That the same car, with wheels of the cone and cylinder form, like those at present used, (*and whose operation was proved to be the same in principle with the wheels sent out by Mr. Winans*) was employed upon the road for a long time afterwards: That the cars now used were the same in principle with the car last mentioned, the only difference being in the form of the cone on the triad. That when the car was sent to the United States its properties to turn curves by the combination were communicated by Mr. Winans to the Messrs. Browns and others, in Liverpool: That in the month of August, 1829, Mr. Winans employed an English solicitor to prepare a specification of his inventions, a copy of which specification was produced in court, and witnesses were examined to prove that it contained a description of a self-adjusting car, acting upon the principle patented by the plaintiff *in the September following.* Upon the evidence here stated, the defendants conceived that they had proved, that the plaintiff was *not the first and true inventor* of the combination, in the meaning of the patent law, but that it had been *known and used* before the date of his supposed invention; and various prayers, having reference to this question, were offered to the court. With regard to the court's decision upon these, no opinion is intended to be expressed, as it will be brought before the supreme court on appeal. The verdict of the jury, in favor of the plaintiff, was for $2,100, a sum just sufficient to authorise an appeal. Had it been less than $2,000, no appeal could have been taken; and the rail road company in any future suits, it is possible, would have been prevented from disputing the plaintiff's *title*, and limited to the ascertainment only of the amount of *damages.*

*From the Portland Courier.*

*The patent baker case.* This was an action for damage brought by I. Dobson, of Connecticut, against Campbell & Mills, of Bangor, for making and vending double reflecting bakers, for which said Dobson had a patent right. It occupied about a day and a half before the United States circuit court, in this place last week, and excited a good deal of interest. The case was managed on the part of the plaintiff by Messrs. *Greenleaf, Fessenden* and Deblois, and for the defendant by Mr. *Sprague.*

The plaintiff proved his patent right, and also proved by depositions that defendants had made and vended two or three thousand of the bakers.

The arguments of the counsel were able and ingenious, and the charge of judge Story as usual learned and interesting. The jury after being absent a short time, returned with a verdict of 120 dollars for the plaintiff. And the law in such cases allowing triple damages, the plaintiff recovers 360 dollars and costs.

*Massachusetts superior judicial court, Bristol county, April term,* 1833.

E. G. PERKINS *vs.* JAMES STEPHENS.

Mr. P. the plaintiff in this cause, is an engraver of celebrity in the city of New York, and Mr. Stephens, the defendant, is the topographical engineer of the state of Massachusetts.

The nature of the action and the evidence produced on the trial by the plaintiff, elicited an intense interest.

The defendant offered no testimony.

The action was to recover the value of a copper plate engraved by Mr. P. called the "*Village Coquette,*" deposited into the hands of a third person, from whom it was obtained by Mr. S. in a fraudulent manner, who caused a large number of impressions to be taken therefrom, having erased the name of Perkins.

After an able charge from judge Wilde, the jury found a verdict for the plaintiff $300 and costs.

Warren for plaintiff; Baylie for defendant.

## PENNSYLVANIA CANAL DEBT.

More than half the amount of this debt is in the hands of foreigners; but the list is a very motley one. We copy the following names from the Harrisburg Telegraph. It shows that foreigners have great confidence in the government of that state and of the country; and that while we enjoy such confidence capital will be abundant.

The whole amount held by foreigners is $9,301,712 out of $16,463,661, or upwards of one half of the whole. Among this curious list we notice the following:—His royal highness Charles, sovereign duke of Bruswick, $52,500; the most hon. Francis Seymour Conway, marquis of Hertford, 21,200; John Marshall, of Leeds, 38,700; do. 23,500; sir Charles Richard Blunt, of Heathfield Park, Sussex, 20,000; count de Esceviil, of Paris, 7,500; R. I. Thompson, of Kirby Hall, Yorkshire, 26,600 93, admiral Fellows, of Portman square, London, 12,000; Mr. Henry Fellows, of Ramsay Abbey, Huntingdonshire, 25,000; Wilhelmina Phillipina Van Tuyt Van Serookkerken of Amsterdam, sum not stated; right hon. William Alexander, of London, 17,500; Samuel Gurney, of London, 25,000; John Hey Puget, of Totteridge, England, 18,878 47; Mr. Sheepshanks, of Leeds, 7,604 70; gen. Thornton, of Herfordshire, 14,000; Abiel Tucker, of St. Thomas, 20,000; Candelaris Yardi de Bell, of St. Jago de Cuba, 27,800; Louis Albert de Brancas, duke of Cereste, 500; Madame Louisa Paulina de Chastellux, countess de Damas, of Paris, 32,900; major general John Maister, of Marwick, England, 91,000; the hon. Anne Rushout, of Wanstead, Essex co. 20,000; Andrew Service, of London, 32,353 56; Alexander Saunderson, of Castle Saunderson, county of Cavan, Ireland, 20,000; Emanuel Victor Paurray de L'Aubenedizerrede Quinsonal, of Paris, 20,000; Gowan and Mera, of London, 97,400; Josefa Espenosia de Guesta, of Mexico, 5,380 67; Thomas Cotterell, of Birmingham, England, 17,614 38; William Death, of Herts co. 24,000; Pierre Maria Dit Durieux, of South Wales, 6,581 41; William John Jacob Hurry, of Great Yarmouth, 6,480 26; Richard Bolus Hall, of Wye, 21,600; John Hall, of do. 16,800; John Bacon Sawny Morritt, of Rokeby Park, Yorkshire, 23,000: Mrs. Ann Redfern, of Birmingham, 25,653 23; Helene Francove Ferte

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Guillaume Favre, of Geneva, Ann Selmnia Farrer and lieut. col. William Fawcett, of Bath, England, 26,000; Johannes de Veer and Philip Disk Thompson Milton Spirt, of St. Eustatia, 15,000; Charles Louis count de Vogere of France, 4,500; Robert Peel, esq. of Park Crescent, Portland Place, London, 20,000 Philip Louisa de Peyronnet Baron de Saint Marce, 6,700.

The whole list is a very amusing document; some of the names are in the highest degree unique and odd, worthy of a place in a new dictionary of proper names.

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Will not some of the "reformers" speak to *this*? What—the canals of "democratic" Pennsylvania digged by *foreign* money—the money of dukes and lords, and knights and squires, in England, France, and elsewhere! It is a "burning shame" that foreigners should hold stock in the bank of the United States, though they have no control over the direction of its affairs—but poor Pennsylvania, how deeply must she be under "foreign influence!" Will not some recent "blue light federalist," but now "wool-dyed democrat," propose, at the next sitting of the legislature, to pay off the canal debt, for the sole purpose of getting rid of *royal* and *most noble* and *right honorable*, and *honorable* foreign creditors?

## LAW OF PENNSYLVANIA.

*An act to abolish imprisonment for debt, and for other purposes.*

Sec. 1. *Be it enacted*, That the cost on appeals hereinafter entered, from the judgments of the justices of the peace and aldermen shall abide the event of suit, and be paid by the unsuccessful party as in other cases. *Provided*, That if the plaintiff be the appellant, he shall pay all costs that may accrue on the appeal if in the event of the suit he shall not recover a greater sum, or a more favorable judgment than was rendered by the justice. *And provided also*, That if the defendant, either on the trial of the cause before the justice or the referees, or before an appeal is taken, shall offer to give the plaintiff a judgment for the amount which the defendant shall admit to be due, which offer it shall be the duty of the justice and of the referees to enter on the record, and if said plaintiff or his agent shall not accept such offer, then in that case, if the defendant shall appeal, the plaintiff shall pay all the costs which shall accrue on the appeal, if he shall in event of the suit recover a greater amount than that for which the defendant offered to give a judgment, and in both cases the defendant's bill shall be taxed and paid by the plaintiff, in the same manner as if a judgment had been rendered in the court for the defendant.

Sec. 2. *And be it further enacted*, That so much of any act of assembly as is altered or supplied by this act, shall be and is hereby repealed.

Sec. 3. *And be it further enacted*, That all the jurisdiction, right, title, property and interest of the commonwealth, over, in and for the territory now in possession of the government of the United States, and occupied as an asylum, situate in the township of Passyunk, county of Philadelphia, is hereby ceded and conveyed, together with all the buildings and appurtenances thereunto belonging, to the government of the U. States; *Provided always, nevertheless*, That the cession hereby made shall continue in force as long as the same territory shall be used by the government of the United States for the purpose of a naval asylum, and that nothing herein contained shall exonerate said property from taxation; *Provided further*, That all process, civil and criminal, of the commonwealth of Pennsylvania, shall extend into and be effectual within the territory hereby ceded, as if this law had not passed; *Provided also*, That this act shall not prevent the opening of streets, lanes or alleys, which have been laid out, or are authorised to be laid out, through said property.

Sec. 4. *And be it further enacted*, That from and after the passage of this act no person shall be imprisoned for any debt or sum of money, due on contract, contracted from and after the fourth of July next, where the debt demanded, is less than five dollars and thirty-four cents exclusive of cost.

*Approved April 9, 1833.*

## NEGRO SLAVERY.

*From the Savannah Georgian.*

The nullifiers, driven with disgrace from the stand they occupied, disappointed in enlisting the sympathies and gaining the favor of the people of the southern states, have prematurely, rashly, madly, agitated the subject of slavery, as a last desperate effort to cause them to make a common cause against the north. They have imputed to the people of the north, a settled design to interfere with our domestic policy, which exists no where but in their teeming imaginations and rich fancies. In vain have the most respectable presses at the north repelled the accusation with indignation, in vain have they assured their brethren of the south, that the ties of affection and interest between them are too strong to be lightly and unadvisedly severed. With this disclaimer, shall we say the wicked and detestable efforts of such wretches as ——— and ———* show a settled policy on the part of the north? Shall we by discussion give to their arguments a consideration which their intrinsic value never could give? The efforts of fanatics cannot be entirely prevented by the sensible part of the community, but let us not impute to the *many* the designs of the *few*. We regret that this subject ever should have been started, and we regret still more the manner in which the Calhoun presses in and out of the state, have treated it. It is too plain that they are endeavoring to foster prejudices and create fears which they may turn to their own political aggrandizement.

Mr. John Bolton, who is well known to this community as a man of the most sterling integrity and the purest patriotism, and who has always continued to feel and to manifest the most lively interest in the welfare of Georgia, having seen the discussions going on in the southern newspapers, felt desirous of ascertaining if there really was a just foundation for the accusations brought against the north. He accordingly addressed a letter to the honorable Daniel Webster, who is recognized on all hands as the head of the federal* party at the north, and whose opinions therefore may be fairly assumed to be those of the party at large. The letter of Mr. Bolton will explain his patriotic motives in writing it. We take great pleasure in laying before our readers the answer of this distinguished statesman. These letters have been obligingly furnished us by a friend.

*Mr. Bolton to the honorable Daniel Webster.*

*New York, May 16, 1833.*

*Hon. Daniel Webster,*

Dear sir—It cannot have escaped your observation, that warm discussions are now going on in many of the southern papers, and much agitation is felt or feigned in a portion of the south, on the subject of slavery, and of imputed designs at the north against the security and value of that species of property.

I have been so long and closely connected with Georgia, that I am perhaps more watchful than most others in this quarter of such discussions as these, and having reason moreover to apprehend that, at this particular juncture, the tendency, if not the deliberate aim and purpose, is to excite universal uneasiness and distrust in the slave holding states, and by consequence, to foment jealousies and heart burnings against the non-slave-holding states, which designing politicians may turn to mischievous account; I have felt desirous since our conversation this morning of obtaining an expression in writing of your views, as to the power of congress on the subject of slaves and slavery, and also as to the existence of any wish or design on the part of northern men, to interfere in any way with the security or regulation of that species of property.

My immediate object in thus seeking to obtain a written expression of your opinion on these subjects is, that I may communicate it to a distinguished friend of mine in Georgia, who shares in my solicitude in relation thereto, and through him to the public at large.

I am, dear sir, with great respect, and esteem, your obedient servant. (Signed) JOHN BOLTON.

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*Mr. Webster's answer to Mr. Bolton.*

*New York, May 17th, 1833.*

My dear sir—I have received your letter of last evening, requesting me to state my opinion of the powers of congress on the subject of slaves and slavery; and of the existence of any wish or design, on the part of the northern men, to interfere with the security or regulation of that species of property.

My sentiments on this subject, my dear sir, have been often publicly expressed; but I can have no objection to repeat the declaration of them, if it be thought by you that such a declaration might, in the smallest degree, aid the friends of union and the constitution in the south, in dispelling prejudices which are so industriously fostered, and in quieting agitations so unnecessarily kept alive.

In my opinion, the domestic slavery of the southern states is a subject within the exclusive control of the states themselves; and, this, I am sure, is the opinion of the whole north. Congress has no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the states. This was so resolved by the house of representatives, when congress sat in this city in 1790, on the report of a committee, consisting almost entirely of northern members; and I do not know an instance of the expression of a different opinion, in either house of congress, since. I cannot say that particular individuals might not possibly be found who suppose that congress may possess some power over the subject, but I do not know any such persons, and if there be any, I am sure they are few. The servitude of so great a portion of the population of the south is, undoubtedly, regarded at the north, as a great evil, moral and political; and the discussions upon it, which have recently taken place in the legislatures of several of the slave-holding states, have been read with very deep interest. But it is regarded, nevertheless, as an evil, the remedy for which lies with those legislatures themselves, to be provided and applied according to *their* own sense of policy and duty. The imputations which you say, and say truly, are constantly made against the north, are, in my opinion, entirely destitute of any just foundation. I have endeavored to repel them, so far as has been in my power, on all proper occasions; and for a fuller expression of my own opinions, both on the power of congress, and on the groundless charges against northern men, I beg leave to refer you to my remarks in the debate on Mr. Foot's resolutions in 1830.

I am, my dear sir, with much true regard, your obedient servant, DAN'L WEBSTER.

*To John Bolton, esq.*

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*The names of the persons here inserted are not worth preserving, and we have *dashed* them out. Ed. Reg.

*By the word "federal" we suppose that the editor of the "Georgian" means a friend of the union—or anti-nullifier. Ed. Reg.

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## BRITISH COLONIAL SLAVERY.

*From the John Bull.*

The following documents, copies of which have been transmitted to each member of the legislature, are submitted to the consideration of the British public:

*W. India committee rooms, 60, St. James' st. 1st March*, 1833.

The acting committee of West India planters and merchants respectfully invite your attention to the enclosed statement, exhibiting the case of a large class of your fellow subjects who are wholly unrepresented in the British legislature.

The West India colonists do not propose to vindicate the system of slavery, but they consider that (to use the words of lord Stowel) "if it be a sin, it is a sin in which the country has had its full share of guilt, and ought to bear its proportion of the redemption."

The colonists themselves are ready to bear their share of any national sacrifice which may be required for the purpose of cautiously substituting a better system, if such should be the national determination; but they mean to shew by the accompanying paper, that Great Britain is herself responsible for the establishment and actual existence of colonial slavery—that with the view of extending the market for her African trade, she passed laws and made grants of land expressly enjoining cultivation in the colonies by slave labor; and that thus through the instrumentality of her subjects all eagerly contending for participation in the traffic, she gradually peopled the West India colonies with slaves, and received the value of them in money, consequently that any measure of the legislative interference tending to impair or endanger the value of property so acquired, must either be accompanied by adequate compensation, or give a death-blow to that confidence in the national faith and character which has hitherto been the sole support of private property in this country.

But without reference to the just claim of the planter to compensation, there are other considerations which ought to suggest caution to the statesman and the philanthropist, when dealing with the question of slavery.

It will be admitted that, under any changes of system the continuance of active cultivation in the colonies by Europeans is not only of vital importance to the interests of the mother country, but indispensably necessary to the desired object of raising the negro in the scale of society. While, therefore, it remains unascertained by actual experiment that the negro will give continuous labor, and for reasonable wages, as a free man—and while the weight of evidence and experience discourages the expectation of his willingly consenting to do so—there must be the greatest danger that any hasty change of system, unaccompanied by regulations calculated to insure the slaves becoming an industrious peasantry, and to teach them the duties and obligations of civil society, would lead to the immediate destruction of the colonies, and throw the black population into a state of barbarism.

That you may be enabled to judge of the effect which such a calamity would produce on the interests of Great Britain, as well as of the irresistible impulse it would give to the slave trade, in which foreigners still persist, the committee beg leave to remind you that the present annual gross revenue derived from West India produce is seven millions; the value of British manufactures annually consumed in those colonies is four millions and a half; and the number of ships employed in the direct trade nine hundred and fifty, or two hundred and forty thousand tons—exclusive of an extensive cross trade constantly maintained between the colonies and British America. Also, that the British colonies at present supply nearly one half of the sugar imported into Europe.

### THE ORIGIN AND PROGRESS OF WEST INDIA SLAVERY.

One very important question now about to occupy the attention of parliament, is that which relates to the emancipation of the negroes. In whatever way this may be effected, much injury must necessarily fall on the West Indian proprietors. To bearing their share of the national loss, they make no complaint; on the contrary, they are most willing to do so. But in opposition to any scheme of emancipation which may propose to make their property the subject of hazardous experiment, without previously providing certain and adequate compensation, they earnestly seek to draw your attention, as a member of the legislature, to such facts as will enable you to judge how far the establishment and maintenance of slavery has been the guilt of the West India proprietors, or of the British nation.

In 1585—The slave trade was instituted in the reign of queen Elizabeth, who personally took a share in it. At that time the West India colonies did not exist.

In 1662, Charles II. granted an exclusive right in the slave trade to queen Catherine, the queen dowager, the duke of York and others, who formed themselves into a trading company, they undertaking to supply the West India planters with 3,000 slaves annually. In the same year that monarch issued a proclamation inviting his subjects to transport themselves to Jamaica, agreeing to allot lands to every individual who would go to reside in the island, and signify his resolution to plant there.

The slave trade continued to be fostered during the reigns of Charles II. and James II. but still under a monopoly.

In 1679, petitions from the manufacturers in Great Britain of woollen and other cloths, and the makers of various articles necessary to the slave trade with Africa, were presented to parliament, alleging that the trade was cramped by being in the hands of an exclusive company, and praying that it might be opened.

In consequence of these and similar petitions to the house of commons, a committee of the whole house, in 1565, resolved, "That for the better supply of the plantations, all the subjects of Great Britain should have liberty to trade to Africa for negroes, with such limits as should be prescribed by parliament," and by statute 9 and 10 William III. c. 26. the trade was accordingly laid partially open, the preamble of that act stating, that "the trade was highly beneficial and advantageous to the kingdom and to the plantations and colonies thereunto belonging."

The manufacturers of Great Britain, however, were still dissatisfied with the restrictions imposed upon the trade. They continued to ply the legislature with petitions to give greater latitude to a traffic, by which they exchanged their goods for negroes and sold these negroes to the West India proprietors.

The house of commons adopted their arguments; they declared, by a report from a committee, in 1708, "That the trade was important, and ought to be free and open to all the queen's subjects trading from Great Britain." By another report in 1711, that "the trade ought to be free in a regulated company, that the plantations ought to be supplied with the negroes at reasonable rates, that a considerable stock was necessary for carrying on the trade to the best advantage, and that an export of £100,000 at least in merchandise should be annually made from Great Britain to Africa."

From this period, 1711, until 1729, the demands of the manufacturers for a more unrestricted trade continued to be the subject of parliamentary investigation and dispute.

It was found that the trade could not be conveniently and extensively carried on without forts on the coast of Africa; and such was the appetite of the British nation for the slave trade, that, in 1729 a committee of the house of commons passed the following resolutions:

1st. "That the trade should be open." 2d. "That it ought not to be taxed for the support of forts." 3d. "That forts were necessary for securing the trade." And 4th. "That an allowance ought to be made for maintaining such forts."

These resolutions were agreed to, but the 3d with an amendment, that the forts should be maintained "as marks of the possessions of Great Britain," instead of "for the purpose of securing the trade." At the same time, the house was informed that his majesty recommended that provision should be made for the support of the African forts.

At length, in 1749, the statute 23d Geo. II. c. 31, was passed, which removed all obstruction to the operations of private traders, declaring "the slave trade to be very advantageous to Great Britain, and necessary for supplying the plantations and colonies thereunto belonging, with a sufficient number of negroes at reasonable rates."

While the British public had been intent on breaking down the partial monopoly of trading in negroes, which had existed among themselves, they had on the same principles been equally intent on setting up a monopoly against foreigners, and on excluding all but British subjects from participating in a trade pronounced to be "so highly beneficial to the kingdom."

1689. In answer to a case referred to the judges for their opinion by the crown on the alien contract, they report—"In pursuance of his majesty's order in council hereunto annexed, we do humbly certify our opinions to be, that negroes are merchandise; that it is against the statute of navigation made for the general good and preservation of the shipping and trade of this kingdom, to give liberty *to any alien to trade in Jamaica*, or other his majesty's plantations, or for any shipping belonging to aliens to trade there, or to export thence negroes, &c." And the certificate is signed by lord C. J. Holt, justice Pollexten, and eight other judges.

The proclamation of Charles II. had invited British subjects to settle in the West India colonies, and offered them lands on condition of their being planted.

A reference to the patents by which land was granted, will show what was meant by the proclamation.

The following patent may be found at length in the appendix to the report of the house of lords, dated August 1832, on the state of the West India colonies, p. 1,198.

1690. "William and Mary, by the grace of God, &c. To all to whom these presents shall come: know ye that we, FOR AND IN CONSIDERATION *that Christopher Senior, esq. hath transported himself, together with his servants and slaves, into our island of Jamaica in pursuance of a proclamation* made in the reign of our royal uncle, king Charles II. and for his better encouragement to become one of our planters there, &c. do give and grant unto the said Christopher Senior, his heirs and assigns forever, a certain piece of land," &c.

## RIGHTS OF PROPERTY IN SLAVES.

*From Poulson's American Daily Advertiser.*

*Caleb Johnson,* vs. *John Kinderdine, and others.* } In the circuit court of the U. States for the eastern district of Pennsylvania.

The jury impannelled in the above case have unanimously instructed their foreman to request judge BALDWIN, to permit the able, clear and lucid charge delivered by him in the above case, to be published. They make this request from a sense of duty, believing that the publication will be salutary to the best interests of the community, and that the charge is replete with the soundest constitutional principles, applied to one of the most important and delicate subjects that can be presented for examination before the judicial tribunals of our country.

JAMES McALPIN, *foreman.*

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*Caleb Johnson vs. Isaac Tompkins, and others.*

CHARGE OF BALDWIN, J. TO THE JURY.

The facts of this case are not complicated, and there is not much contest about those which are material to its decision.

That Jack was a slave for life, the property of Mr. Johnson, absconded from the service of his master, to this state, and had been for some time in the employment of the Messrs. Kinderdines. That Mr. Johnson and others of his party, came to the Billet on the evening of the 20th October, 1822, being Sunday, with the intention of taking him, which they made known; went to the house of Mrs. Kinderdine, which they entered peaceably, took Jack without disturbing the family, put him in the wagon, and put hand-cuffs on him. After some altercation at the gate, with Mr. Issachar Kinderdine, they proceeded on their way to the Billet; that near the Horsheim meeting house, a crowd of from 20 to 30 persons had assembled. Mr. Kinderdine attempted to take hold of the horses of the plaintiff in order to stop them in the road, but desisted on the threat of Mr. Withington to blow out his brains if he stopped them. That on their arrival at the Billet, the crowd had increased, Mr. Johnson had received a severe blow on the head, from some of the crowd, near the meeting house; the traces of the wagon were cut; the Jersey party were ordered to go forthwith to judge McNeill's, under threats of force if they would not go peaceably. After some time they went, attended by a crowd variously estimated from 30 to 60, and returned after a short time to the Billet, under the charge of a constable, they were detained all night under guard, without being permitted to retire to a lodging room; taken next morning to justice Tompkins; brought back by the constable to the tavern, where they were detained all Monday by the constable, and watched during the night by him and some of the defendants. Mr. Withington had escaped on Monday night; came to this place, procured bail and counsel; and on Tuesday morning the plaintiff and his party were liberated, on giving security for their appearance at the next court, in Montgomery county.

They were indicted for kidnapping, under the act of 1820, tried and acquitted; Mr. John, Issachar and Sarah Kinderdine were witnesses for the prosecution; Jack was present at the trial, but was not examined; counsel were employed to assist the prosecuting counsel, to whom Jack paid, through Mr. Ellis, 30 or 50 dollars. In January 1823, Mr. Johnson took Jack home, under a warrant from judge Jones, and detained him as a slave till about two years, since when he manumitted him; Jack is now free, and residing in Princeton.

These facts are not contested.

On one side the plaintiff asserts certain rights under the laws and constitution of this state and of the United States, what they are we shall state to you plainly and explicitly, and whether they justified the plaintiff and his party in the course they pursued. The defendants deny these rights, by what authority you have heard and must decide; they assert in themselves certain rights, but from what source we are not informed—they profess to have acted from motives of humanity and benevolence—from the admitted facts their conduct towards the Jersey party could not well have been governed by such motives. How far they operated to influence their conduct for the benefit of Jack, we can ascertain from another uncontested fact, that on Sunday night, Mr. Johnson offered to manumit him and pay all the costs of the proceeding—the manumission was drawn up by Dr. Hill, and executed in his presence, but the proposition was rejected by Mr. John Kinderdine, and the Jersey party was prosecuted as you have heard, while no concern was taken in Jack's freedom. His part in the trial seems to have been confined to the payment of the wages earned by him during his elopement, or put into his hands by others, to counsel thus hired to prosecute his master, without any complaint of hard usage to Jack.

That the plaintiff has been grievously injured by some one; that he has been restrained of his liberty and severely prosecuted as a felon, are also admitted facts. If it has been done by the defendants or any of them, it becomes a most interesting case to the parties, as well for the question involved as the extent of the injury inflicted and damages claimed.

It is not pretended that the plaintiff committed any breach of the peace in entering the house, taking Jack, securing him into the wagon, or in carrying him to the Billet—the only alleged outrages are the threat to Mr. Issachar Kinderdine at the gate, which Joseph Kinderdine did not hear, though standing by the side of the wagon near his uncle and aunt—and who, though in the house when Jack was taken out, heard no noise)—and the threat in the road when Issachar had seized, or was about seizing the horses by the head. The defendant's witnesses all concur in stating the conduct of the plaintiff and his party, with these exceptions, to have been quiet and civil throughout all the occurrences till their liberation on bail.

The plaintiff appeals to the laws and constitutions for the assertion of his rights, and redress of his injuries; the defendants instruct their counsel to appeal to other laws and rules, which they contend justify all their acts; they do not attempt to mitigate or palliate their conduct as having been committed under any mistake; they offer no evidence of Jack's right to freedom, or of an infringement of any of their rights by the plaintiff or his friends—they stand boldly and manfully on their rights, as a justification, disdaining damages, or making any excuse or apology for what they had done, down to the moment of submitting their case through their counsel to you. The plaintiff is denounced before you as a felon, ruffian and kidnapper, though he voluntarily manumitted Jack after all he suffered, and though there cannot now be even a pretence that he was free in 1822. The witnesses for plaintiff are said to be perjured, although you will probably concur with us in thinking, that the only material difference between their statement and that of the defendant's witnesses, is in relation to the threats made use of to the Jersey party before going to judge McNeill's. The plaintiff's witnesses say the threat was to tie and take them if they would not go voluntarily; the defendant's witnesses say the threat was to use force to take them, a difference, in our opinion, of no importance, for it mattered not how the force was threatened to be applied. Mr. Withington and Skillman are called old soldiers, practised kidnappers, used to the trade, because they had sometime before taken, from the same neighborhood, a runaway slave of the father-in-law of Mr. Withington, who returned voluntarily, and expressed himself glad they had come for him. You thus see that to this moment their spirit does not relent, they have no respect for the verdict of a jury of their neighbors in their own county, given on the evidence of the defendants themselves, nor for the law, which, after a verdict of acquittal, pronounces the parties accused to be innocent of the offence charged.

This view of the case makes it interesting to us and to every one. It is time to know whether the acts which have been done by the plaintiff have made him a felon, whether he is yet to be called one in a court of justice after an acquittal by a jury, or if in any, or what respect is due to the verdict of a jury in Pennsylvania, in repelling the imputation of an infamous crime. If Mr. Johnson is yet open to the epithets so freely bestowed on him, there can be no end to prosecutions, and no protection by the laws.

Another matter must be settled, whether the owner or claimant of a fugitive slave, who comes into this state under the authority of its laws, its constitution, the law and constitution of the United States to reclaim his property, is under any obligation to submit the evidence of his right to any person who makes the demand, to do it in the public highway in the evening or at night, before an assembled crowd in a road or at a tavern. And if any man has a right to demand the papers and other evidence of the claimant's property in a fugitive, he has the same right to judge of their sufficiency, whether the plaintiff could be compelled to go before any particular judge or justice to prove his property, and if he failed in his opinion to make out his right, was to be bound by it, and to be considered and treated as a felon for having seized his slave; deprived of his liberty, refused a bed, and compelled to go from place to place, without any legal arrest or warrant. Finally be compelled to undergo a vindictive prosecution for arresting a fugitive, proved by his own admission to be the plaintiff's slave till he was 30, and his subsequent right to freedom resting on his naked assertion not only not attempted to be supported, but contradicted by the most incontestible and uncontested evidence. Look at the conduct of the judge, and the reasons he gave; *the plaintiff had no bill of sale to himself from Ranley*, and yet the judge saw the receipt of the purchase money paid for Jack; he was called *Jack, without any further description*, and the judge said the plaintiff might take up any black man by the name of Jack; yet Jack stood before him acknowledging his identity as the same slave who was sold by Mr. Berrian to Ranley, and by him to Mr. Johnson. Is this, gentlemen, the law of Pennsylvania, and are such the rules by which property is held in this state; if they are, who can be safe when the evidence before judge McNeill was held to be insufficient; this is a question which comes home to every man. Who can show a better right to personal property than a purchase, the receipt for the money, fourteen years peaceable possession, and the public acknowledgment of Jack confirming it.

Here is a specimen of the security for the rights of property, when the law of the land is disregarded; and the security of the personal liberty of our citizens when individuals take the law into their own hands, to be administered by their opinions of justice, natural right, social law, public opinion, humanity and philanthropy. It does not indicate the laudable zeal to release the free from bondage, but rather to make the slave free, and the freeman a slave.

Such are the questions involved in this case which comes before us not on a mere inquiry into the injury done the plaintiff, or the compensation to which he is entitled from the defendants; but on an issue of right by the law of the land; on which we shall give our opinion most explicitly as we are in duty bound to do; the facts of the case are for your decision.

It has been thought best to do it in writing, that our opinion may neither be misunderstood or misrepresented, so that the opinion of the supreme court may be had upon it, and I hope that the party dissatisfied with it, may take it before them for their revision, in order that the whole law may be definitely settled and known. What then is the law, and with whom is the right of the case, you will be able to ascertain from the evidence you have heard, and the opinion which we have formed; judge Hopkinson concurs in the general results which will be stated to you; there has not been time to submit to him the detailed view taken of the subject.

On a question of slavery or freedom, the right is to be established by the same rules of evidence as in other contests about the right to property—7 Cr. 295.

It is an universal principle that possession of property, quiet and undisturbed, is evidence of ownership, and that possession cannot be disturbed, unless by one having a better right.



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The burthen of proof rests on those who attempt, or claim the right, to take property from the possession of another, or to interfere with his control and disposition of it.

The evidence of the property in this case is uncontradicted. That the mother of Jack was the slave of the late judge Berrian, of New Jersey; that Jack was born shortly after the death of Mr. Berrian, in 1791 or 2; that he was a slave of the estate sold or allotted to Thomas Berrian, one of the children and heirs, at a very early age; kept by him as a slave till 1807, when he was sold to Paraz Ranley, for 300 dollars, who in the same year sold him for the same price to the paintiff, with whom he remained for 14 years, before he absconded from his service.

Jack admitted his original slavery, but alleged that by the will of Mr. Berrian, he was entitled to freedom at 30. The will has been produced, but has no such condition or direction, and no evidence has been offered to support Jack's assertion, which must therefore be taken as not only unsustained, but directly contradicted and false, and his identity was admitted.

The original bill of sale to Ranley has been produced, and the sale by him to the plaintiff, proved by the production and proof of the receipt for the purchase money, which is as effectual for the transfer of personal property, as a deed or regular bill of sale, all which is required in such cases, is evidence of the sale, which may be by parol as well as writing, or inferred from long and quiet possession—1 Dall. 169.

The plaintiff has therefore given abundant evidence of property in Jack to entitle him to recover; were it on a trial of freedom, the judge was entirely mistaken in saying that a bill of sale to the plaintiff was necessary, or that the papers produced to him, connected with Jack's admission, were not sufficient proof of his being a slave, and the same person who was sold, and in the possession of the plaintiff. He was not bound to disprove Jack's assertion, but those who denied the right of Mr. Johnson, were bound to prove it true—yet long as this controversy has subsisted, and interesting as it has now become, no attempt is made to support this assertion, on the belief of which, or under color of which the defendants has acted from the time of their first interference between Jack and the plaintiff. The ownership of Jack being thus clearly made out, he must be deemed to be the property of Mr. Johnson, over which he has the same control as over his land or his goods. It is not permitted to you or us to indulge our feelings of abstract right on these subjects; the law of the land recognizes the right of one man to hold another in bondage, and that right must be protected from violation, although its existence is abhorent to all our ideas of natural right and justice.

As a consequence of this right of property, the owner may keep possession of his slave—if he absconds he may retake him by pursuit into another state, and may bind or secure him in any other way to prevent his second escape—he may arrest him by the use of as much force as is necessary to effect his reclamation; he may enter peaceably on the property or into the house of another, taking care to commit no breach of the peace against third persons. But it is no breach of the peace to use as much force or coercion toward the fugitive as suffices for his security—as without such force no slave could be retaken without his consent. The master may also use every art, device or stratagem to decoy the slave into his power—odious as these terms may be in their application to an unlawful act, they ought to be considered as far otherwise when used for a lawful and justifiable purpose. It is every day's practice to detect counterfeiters, and those who pass counterfeit money, by employing persons to purchase it from them—it is necessary for the purpose of public justice that such and similar means should be resorted to, or criminals would escape detection—they are neither immoral or illegal.

Jack's escape was by fraud and art, practised to his master's injury, and he is forbidden neither morally or legally from reclaiming his property by circumventing and defeating the fraud of the slave. To deny to the owner of property the use of such means to recover it, would make his right an empty and barren one, by taking from him the means of enjoying it—it was the mode least calculated to alarm or disturb the family. This right of a master to arrest his fugitive slave, is not a solitary case in the law; it may be exercised towards a fugitive apprentice or redemptioner, to the same extent, and is done daily without producing any excitement—an apprentice is a servant, a slave is no more; though his servitude is for life, the nature of it is the same as apprenticeship or by redemption, which though terminated by time, is, during its continuance, as severe a servitude as that for life. Of the same nature is the right of a parent to the services of his minor children, which gives the custody of their persons. So where a man enters special bail for the appearance of a defendant in a civil action, he may seize his person at his pleasure, and commit him to prison; or if the principal escapes, the bail may pursue him to another state, arrest, and bring him back by the use of all necessary force and means of preventing an escape. The lawful exercise of this authority in such cases is calculated to excite no sympathy; the law takes its course in peace, and unnoticed, yet it is the same power, and used in the same manner, as by a master over his slave. Had Jack been the apprentice of Mr. Johnson, or he had been the special bail of Jack, he would have the same right to retake him as he had by being his owner for life—the right in each case is from the same source, the law of the land. If the enforcement of the right excites more feeling in one case than the other, it is not from the manner in which it is done, but the nature of the right which is enforced—*property in a human being for life*. If this is unjust and oppressive, the sin is on the heads of the makers of laws, which tolerate slavery, or in those who have the power in not repealing them; to visit it on those who have honestly acquired, and lawfully hold property, under the guarantee and protection of the laws, is the worst of all oppression, and the rankest injustice towards our fellow-men. It is the indulgence of a spirit of persecution against our neighbors, for no offence against society or its laws; for no infringement of the rights of others, but simply for the assertion of their own in a lawful manner.

If this spirit pervades the country; if public opinion is suffered to prostrate the laws which protect one species of property, those who lead the crusade against slavery may, at no distant day, find a new one directed against their lands, their stores, and their debts; if a master cannot retain the custody of his slave, apprentice, or redemptioner, a parent must give up the guardianship of his children, bail have no hold on their principal, the creditor cannot arrest his debtor by lawful means, and he who keeps the rightful owner of lands or chattels out of possession, will be protected in his trespasses.

When the law ceases to be the test of right and remedy—when individuals undertake to be its administrators by rules of their own adoption, the bands of society are broken as effectually by the severance of one link from the chain of justice, which binds man to the laws, as if the whole was dissolved. The more specious and seductive the pretexts are under which the law is violated, the greater ought to be the vigilance of courts and juries in their detection; public opinion is a security against acts of open and avowed infringements of acknowledged rights—from such combinations there is no danger—they will fall by their own violence, as the blast expends its force by its own fury. The only permanent danger is in the indulgence of the humane and benevolent feelings of our nature, at what we feel to be acts of oppression towards human beings, endowed with the same qualities and attributes as ourselves, and brought into being by the same power which created us all; without reflecting, that in suffering these feelings to come into action against rights secured by the laws, we forget the first duty of citizens of a government of laws—obedience to its ordinances.

Those who are looking only to the oppression which exists, but in their own imagination, may make their own philanthropic feeling the standard of right and wrong, but it must be remembered, and impressed on every member of society, that no man can consider that to be injustice which the law declares and protects as a right, or an act to be oppressive which the law has provided as a remedy for its infringement. The impression may be honest, the feeling laudable, and the motive virtuous in the abstract, but the law forbids its action on the property or persons of others. The history of this cause affords a striking illustration of the dangerous effects of these feelings being suffered to influence the conduct of even the best members of the community. The fair character and high standing in life of the defendants in this case, may be a guaranty to the public against any intentional infraction of the peace and good order of society, but one incident in the cause shows the contagious effect of bad example in the higher orders of society on the lower. John Chester felt authorised to take and act his part in the transaction, more humble indeed than that of his superiors, but not less efficient in its furtherance of the object, by cutting the traces of the wagon; where John would have stopped in the use of his knife, had its employment in another way been likely to effect the liberation of Jack, is difficult to say, and would be invidious to conjecture, it suffices to refer to it as a salutary lesson—the case is full of them.

The opinion of judge Washington, in Hill *vs.* Law, meets our entire concurrence. "That if a man should honestly believe that the person claimed as a fugitive did not in fact owe service to the claimant, he could not in his defence allege ignorance of the law, and that such matters were unfit for the inquiry of the jury. That it was sufficient to bring the defendant within the provisions of the law, if having notice either by the verbal declarations of those who had the fugitive in custody, or were attempting to seize him, or by circumstances brought home to the defendant, that the person arrested was a fugitive or was arrested as such."—4 Wash. 329. The case must be decided by the facts in evidence, and will not be influenced by the defendant's belief or knowledge of them in any other way than in mitigation of damages, if you are satisfied that they were really ignorant of Jack's situation and they believed him free.

From the full investigation of its merits, which has now been had, all doubts of the slavery of Jack as the property of Mr. Johnson, by fair purchase of his right to his possession and custody, and to retake him wherever he was found, have wholly disappeared, and the defendants by confiding in his naked assertion of being free, have seen the bad effects of trusting to the fabricated stories of fugitives from service. In opposing his reclamation by his master they acted at their peril; he was in pursuit of his right—he entered peaceably into the house where he found his slave; he arrested and secured him in the wagon without any breach of the peace. There is no evidence of any cruelty practised on Jack, or of any complaint of hard usage; he appears to have made none, nor to have called for any assistance from any one, even after some of the defendants had come to the wagon; their interference was purely voluntary. The first inquiry then is, was it justifiable?

The slave was arrested on Sunday it is true, but no law prohibits a man from protecting or reclaiming his property on that

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day, 5 S. & R. 301. Working on Sunday is no breach of the peace, 1 S. & R. 350, when done without noise or disorder. A justice of the peace has no right to enter on the land of another on Sunday for the purpose of obtaining evidence of a breach of the Sabbath against the will of another. He ought to summon the offenders the next day, and proceed against them in the usual manner, 351. If the service of process on Sunday was illegal except for a breach of the peace or felony, the defendants could not arrest or detain the Jersey party without process or legal authority for any other cause.

The slave, it seems, was seized in the twilight or night, but that did not justify the interference of the defendant to rescue him, or obstruct the plaintiff in removing him;—the putting of irons upon him is of itself no justification of the infliction of any violence upon the plaintiff. If it was an act of unnecessary severity, it would be a circumstance for which you would make a proper allowance in assessing damages as one which would mitigate the conduct of the defendants, by the excitement which it would be apt to produce. Whether however it was a measure of prudence or of cruelty not called for by the circumstances in which they were placed, you will probably be able to ascertain to your satisfaction from the facts, that the defendants appear not to have directed the irons to be taken off till the Messrs. Kinderdines had given their recognizance before justice Tompkins for his appearance, and the attempt made by John Chester and the other black man at the Billet to take them off, may not improperly be considered as some evidence of the necessity of their imposition.

If in these or any other particulars, Mr. Johnson or his party made use of any unnecessary or wanton violence towards his slave, he became amenable to the laws, but not to the defendants; he was not bound to regulate his conduct by rules they might think proper to prescribe, or to suffer them to be the judges of his rights; he acted at his peril in arresting Jack, and they at theirs in interposing any opposition.

If you believe the evidence the plaintiff has established his right to arrest Jack—proof of his slavery and owing service to him absolves him from the risk he ran in seizing him—but the same fact which absolves him makes the defendants liable if they have done any act not warranted by law by which the plaintiff has suffered an injury. It is contended that they had a right to arrest the plaintiff and his party when in the act of committing, attempting to commit a felony, or doing an act which might amount to a felony and prevent its commission thereby; and such is undoubtedly the law.

There may be an arrest without warrant by a public officer, or a private person, who sees another commit a felony—or if a felony is known to have been committed, the person committing it may be pursued and arrested;—and when there is only probable cause of suspicion a private person may without warrant at *his peril* make an arrest, 6 Binney, 3, 18—19.

A constable may arrest without warrant for a breach of the peace in his presence, and commit the offender to jail for safe keeping, so may a private person for felony, or on an affray which has taken place in his presence, or where an arrest is made on suspicion. 8 S. & R. 49, 50. Such is the law of Pennsylvania, which secures the peace of the public, but the law does not stop here; it does not leave the citizen at the mercy of peace officers or individuals—they make the arrest at their peril—in the emphatic language of the late chief justice Tilghman. "I say at his peril, for nothing short of proving the felony will justify the arrest," 6 Binney, 319—and the present chief justice in declaring the right of the constable to arrest in such case says, "There is no danger to the liberty of the citizen in this, for if the arrest and detention be improper, the prisoner can have instant redress by the writ of habeas corpus, and the constable may be punished by indictment or subject to damages in an action of trespass," 8 S. & R. 50.

The law is the same as to the plaintiff; "at the common law a master had a right to take up his runaway servant, and for this, as for any other lawful purpose, might enter peaceably into any house, unless forbidden by the owner. Any person with authority from the master might do the same. The domestic authority of masters and parents must be supported as essential to the peace of society, and contributing to a due subordination to the authority of government. Addison's Rep. 325, the acts of assembly do not give, but only enforce this right.

If the person arrested is not a servant or slave, or the person making the arrest has not the authority of the master for so doing, he is in either case liable for the illegal arrest.

You will therefore consider the law as settled, that where an arrest is made without a warrant from a proper officer; the person making the arrest is liable in damages to the party arrested, if he is innocent of the offence with which he is charged, and for which he has been arrested—though the person arresting may have honestly believed the other guilty; though there was ground for suspicion, or probable cause for the arrest, he is liable to an action for the arrest, unless actual guilt appears. These circumstances will weigh with a jury in reducing damages, but as the arrest turns out to be illegal, it cannot be justified; the reason is obvious, though the public peace requires the speedy apprehension of offenders against the law, it does not authorise the imprisonment of the innocent; from this rule there is no exception, where the arrest is without warrant. If a lawful warrant is directed to an officer, or a private person, and he does not exceed or abuse the authority it confers, he is liable to no action, though the person who is described in the warrant, and arrested, is wholly innocent of the offence charged; this is also an incontestible principle of the law. So that while innocent men are protected in their liberty against arrests, by officers or private persons, on their own authority, the latter are equally protected in the execution of lawful process. In the one case they act at the peril of the party arrested being guilty, in the other the law absolves them from any responsibility. The law is the same if a constable seizes a person as a runaway servant, by order of one claiming to be his master, he is liable to an action if the person arrested is not his servant; but if he apprehends him on a warrant from a magistrate no action lies against him.

You will then apply these rules of law to the case before you, and inquire whether the plaintiff, and those acting under his authority, committed any felony or breach of peace, in seizing, securing and carrying Jack to the house of Marple, in Hatborough. The record of their acquittal is conclusive evidence of their innocence of the offences charged in the indictment preferred against them at Norristown, either jointly or severally—you are bound to consider them each and every one as not guilty of any of the matters charged as a felony or offence under the act of assembly, of March, 1820, or the common law. Independently of this acquittal, if Jack was the slave of the plaintiff, neither he nor the others of the party could be guilty of kidnapping, under that or any other law of the state. So long since as 1795, the supreme court unanimously decided that it was no offence, under the seventh section of the act of March, 1788, for a master to arrest his slave forcibly, and carry him out of the state; that the law was intended, and only applied, to carrying a freeman out of the state into bondage, 2 Dallas, 236.

The law of 1820, section 1st, on which the plaintiff was prosecuted, was copied from the law of 1780, and must receive the same construction; its re-enaction, with the full knowledge which the legislature must be presumed to have had of its judicial exposition by the supreme court, which had remained unquestioned for twenty-five years, without any alteration, is to be considered as not intended to alter, and as not altering the law on the subject. The rule thus established by the legislature and courts of the state, is the rule for our decision both by the 34th section of the judiciary act, and the uniform decisions of the supreme court of the United States; it need not therefore, be regarded with any jealousy as opposed to the laws, policy or feelings of the state, or the people thereof—neither do we think it necessary to add any reasons to those given by chief justice McKean; 2 Dallas, 226, which has been read by counsel.*

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*Note 1. *Charge of the court to the jury.*

The severity of the punishment to be inflicted in case of a conviction, (a punishment the same, in its nature, as is inflicted for the most infamous crimes), ought certainly to induce the jury to deliberate well, before they determine, that the act committed by the defendant constitutes the offence, which is the object of the law. The extravagant operation and extent of the doctrine, on which the prosecution is maintained, ought also to awaken the most serious attention, for it has been contended in effect, that should a traveller bring into this state a negro or mulatto slave; nay, should a tradesman of Pennsylvania have a negro or mulatto indented servant, who being sent on an errand, loiters away his time in tippling and debauchery, the master cannot forcibly seize and carry the delinquent to another place, either beyond or within the jurisdiction of Pennsylvania, without incurring the penalties of the act of assembly: if it is intended afterwards to keep and detain the negro or mulatto as a slave or servant. Is it rational to conceive, that any legislative body would have destined for such an act, so grievous a punishment? Again: It has been alleged that the law has made no difference and therefore, that the court can make none, between a freeman and a slave, provided the injured party is a negro or mulatto. But is it possible that any individual of common sense, that any assemblage of enlightened men should so confound the nature of things, should so pervert the principle of justice, as to suppose, that it is as criminal for a master to carry off his own slave with the intent to retain him in slavery, as for a stranger to carry off a freeman with the intent to sell him into bondage? Can these actions merit the same degree of punishment?

It is evident however that such enormities are not imputable to the legislature of Pennsylvania. By the 10th section of the act for the gradual abolition of slavery, (1 vol. Dall. edit. p. 81.) persons merely sojourning in this state have a right to retain their slaves for a term of six months, and the delegates in congress, from other states, foreign ministers and consuls, enjoy that right as long as they continue in their public characters; the succeeding section likewise expressly provides that absconding slaves shall derive no benefit from the law, but that their masters shall have the same right and aid to demand, claim and take them away that they had before. This act of assembly and particularly these provisions are not repealed by the supplemental act on which the prosecution is founded. Then we find that any traveller who comes into Pennsylvania upon a temporary excursion for business or amusement, may detain his slave for six months, and the previous law, (recognized by act of assembly during that term), authorises the master to apprehend the slave, and entitles him to the aid of the civil police to secure and carry him away. By a regulation of this kind, the policy of our own system is reconciled with a due respect to the system of other states and countries, while an opposite construction would render it impossible for any American or foreigner to pass with a slave through the territory of Pennsylvania.

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We have laid down the law to be, that bail may arrest their principal; this, too, we have done in accordance with the decisions of the supreme court of this state. "In the relation in which the several states comprising the union stand to each other, the bail in a suit entered in another state, have a right to seize and take the principal in a sister state, provided it does not interfere with the interest of other persons who have arrested such principal." 2 Yeates, 264.

Special bail may take up the principal when attending court, or at any time he pleases—"It has been quaintly said, that the bail have their principal always on a string, and may pull the string whenever they please, and render him in their own discharge"—4 Yeates, 123. S. P. 3 Yeates, 37. The court refer to and adopt the law as laid down in England, in the same words, in 6 Mod. 231, in which it is added they may take him even on a Sunday, "and confine him till the next day, and then render him;"—it is therefore the common law of Pennsylvania as well as of England.

We have also stated the law to be that apprentices, redemptioners, slaves and servants who abscond from the service of their masters, may be apprehended wherever they may be found—this we have done not only on the authority of the courts of Pennsylvania, but of its various laws.

By the act of 1770, yet in force, a fugitive apprentice may be apprehended by a warrant from a justice, and committed to jail till he will consent to return to his master, or give security to answer his complaint. Purdon, 42. This act was extended to redemptioners in 1820. If any person harbor him without giving notice to his master, he shall pay 20 shillings a day—Purdon, 42, 3—and the apprentice to serve 5 days for each day's absconding—Purden, 829.

The act of March, 1780, which declared all issue of slaves born after that day to be free, unless registered according to its provisions, puts negro and mulatto servants, till 28, on the same footing as servants by indenture—1 Dall. 839-40. sect. 4.

The reward for taking up runaway and absconded negro and mulatto servants and slaves, and the penalties for enticing away; dealing with, or harboring them, are also the same as in the case of servants bound for four years—Sec. 9, p. 841.

It was "provided that this act, or any thing it contained, shall not give any relief or shelter to any absconding or runaway negro or mulatto slave or servant, who has absented himself, or shall absent himself, from his or her owner, master or mistress, residing in another state or country—but they shall have like right and aid to demand, claim and take away his slave or servant as he might have had in case this act had not been made—Sect. 11, p. 842.

This section remained in force till 1826—it was therefore applicable to this case in 1822. It is all important, as evincing the spirit, policy and feeling of the state to be utterly opposed to the *relief or sheltering* of absconding or runaway slaves or servants from other states, or considering the masters who come to reclaim them as kidnappers, ruffians or felons, fit objects for ignominious punishment in penitentiaries. On the contrary, it expressly declares that they shall have right and aid, to demand, claim and take away his slave or servant—and in order that the meaning of this part of the law should not be misunderstood, that the benevolent objects of the legislature, as declared in the preamble, should not be perverted to purposes forbidden by the law, it puts the master on the same footing as to carrying his slave out of the states, as if the law had never been passed. This is language which cannot be misunderstood.

It is due to the character of the state that its own laws at least should be respected in courts of justice, by all who are concerned in its administration—it is our most solemn duty to enjoin it on you to take the law of the land as you see it in the statute books, and enforce it according to its provisions. Remember too that this law is that act, which has been the pride of Pennsylvania, as one of the most noble and glorious emanations from the spirit of the revolution, as declared in the preamble, which has been read to you with the most touching force and eloquence.

But you must not take the spirit of the law according to the impulse which operates to rouse the feelings of counsel in the cause of their clients; look on it, examine its enactment not only with a watchful eye, but if you please, in the plenitude of philanthropic zeal in the cause of oppressed humanity. To relieve the oppressed, rescue the free from bondage, to punish those who violate the rights of man and humanity, to protect our fellow man from injustice, and to secure to all alike the benefit of the laws, are the imperious duties of jurors. In obedience to such dictates, we call your attention to the laws for the gradual abolition of slavery in Pennsylvania.

The two first sections are the preamble.

The third declares that no child hereafter to be born shall be a servant for life or a slave. The slavery of children in consequence of the slavery of their mothers, is forever abolished.

The fourth has been noticed.

The fifth direct slaves to be registered before the first of November, 1780.

The seventh directs negroes to be tried for crimes and offences like other inhabitants.

The tenth declared all unregistered slaves to be free, except the domestic slaves of members of congress, foreign ministers and consuls, and persons passing through or sojourning in the state, not resident in it, and seamen not owned in the state or employed in ships belonging to the inhabitants of the state. This is the substance of the abolition act.

The eleventh excepts fugitives, as has been noticed.

This law was explained and amended by the act of March, 1788, which declared all slaves brought into the state by persons residing, or intending to reside in it, to be immediately free—prohibits the taking of the slave out of the state with intent to change his place of residence, or selling him for such purposes, directs the registry of the children of slaves, and punishes kidnapping.

In the spirit of these laws the legislature passed "an act to incorporate a society by the name of the Pennsylvania society for promoting the abolition of slavery, and for the relief of free negroes unlawfully held in bondage, and for improving the condition of the African race." No society was ever founded for nobler objects, or more deserving of public encouragement and approbation; but it was no part of the design or objects of this benevolent society to protect or rescue runaway slaves from the claims of their masters. It was provided in their charter, that their by-laws, rules, orders and regulations enacted, or to be enacted, be reasonable in themselves, and not contradictory to the constitution and laws of the state. Acts of assembly, pp. 218, 223, A. D. 1789.

So far as has come to our knowledge or information, this society has acted on the philanthropic principles of its institution and none other, never interfering with the rights of property, as secured by the laws; they have not infringed the condition of their charter, but pursued their legitimate objects with untiring zeal. If they have been perverted by any honorary member, like Mr. Ellis, by contributing money to employ counsel to prosecute a master for lawfully seizing and taking away his runaway slave, we are well convinced that it has been equally repugnant to the feelings and practice of the members of the society, as it would be to their charter.

These laws remained unchanged till 1820, when an act was passed on the subject, the provisions of which need not be particularly recited—the proviso in the second section is however important, "Provided always, that nothing herein contained shall be construed as a repeal or alteration of any part of an act of assembly, passed 1st March, 1780; or of any part of the act of 29th March 1788, except the 7th section which is repealed."

This is the section which prescribed the punishment for kidnapping, and was copied, except as to the punishment, into the first section of the law of 1820.

By the law of 1788, the punishment was a fine of £100 and confinement at hard labor not less than six or exceeding twelve months, until the costs be paid. 2 Dall. 589.

By the law of 1820, the fine was not less than \$500, or more than \$2,000, to be deemed guilty of a felony and sentenced to undergo a servitude not less than seven or more than twenty-one years, confined, kept to hard labor, fed and clothed as is directed by the penal laws of this commonwealth, for persons convicted of robbery. Purd. 653.

The punishment of the first offence of robbery is a servitude of not less than one or more than seven years, and for a second offence not exceeding twelve years. Act of 1829. Purd. 821.

On the first conviction of murder in the second degree the punishment is servitude for not less than four or more than twelve years; for the second offence, confinement for life. Act of 1829. Purd. 648.

The penal laws of Pennsylvania are just, mild and humane; her penal code is admired not only in this, but in all the civilized nations of the world. Here punishment is graduated in proportion to the enormity of the offence, and cruel punishments are expressly forbidden by the constitution, as well as excessive

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It has been said that the words slaves, or servants, which are used in the other provisions of the supplemental act, being omitted in this section, it must be inferred that the legislature intended to protect the slave or servant, as well as the freeman from the outrage contemplated; but, in our opinion, that very omission shows the fallacy of such a construction, for if the legislature designed to protect freemen and not slaves, they could not in any other way more effectually manifest their meaning. In short, the evil apprehended was that of forcing a free negro or mulatto into another country and there taking advantage of his color to sell him as a slave, and for such an offence the punishment denounced by the law would be justly inflicted.

Upon a review of the facts, likewise, we find occasion to regret that the prosecution should have been conducted with a zeal which rarely appears in the prosecution of the highest criminal on the strongest proof. There is not, however, a tittle of evidence to establish the charge that the defendant seduced the negro, or that he even spoke to him in Pennsylvania where the action of seduction must be committed to vest the jurisdiction in the court. Nor can it be fairly said that he caused the negro to be seduced, for the advice given to general Sevier was merely the advice of a friend, which could not surely merit the ignominous punishment of the law, and which was not in fact adopted, as the negro was forcibly, and not by seduction, sent out of the state.

But, upon the whole, we were unanimously of opinion, as soon as it was proved the negro was a slave, that not only, his master had a right to seize and carry him away, but that in case he absconded or resisted, it was the duty of every magistrate to employ all legitimate means of coercion in his power for securing and restoring the negro to the service of his owner, whithersoever he might be afterwards carried.

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fines. Art. 9, sec. 13, and by the 8th amendment to the constitution U. S.

That offence must be dark and black indeed, which is, in the view of the legislature, so much more heinous than highway robbery or wilful murder. Can you believe that it was their intention to subject the man who arrested his own fugitive slave by force, with the intention of conveying him to his home in another state, to a punishment greater in a threefold degree than the most aggravated highway robbery, and for a time exceeding by nine years the utmost term of servitude, which a court could, for the first offence, inflict on the vilest murderer whose forfeited life may have been spared by the mistaken humanity of a jury.

Would a wise, just or humane body of men pass a law which would put on a level the man who reclaimed his own property by lawful means, and the wretch who would drag a freeman into bondage, and arrest as felons of equal grade, a respectable farmer from an adjoining state, with the sordid habitual trafficer in human flesh—the lawful taking of one's own property, with the stealing of a human being.

When the punishment of kidnapping was only a fine of £100, and the extent of confinement only one year, the supreme court declared that such enormities were not imputable to the legislature of Pennsylvania; we should do them great injustice not to rescue them a second time from the imputation, when the fine is greatly increased, and the servitude extended not only to seven, or twenty-one times the extent, but directed to be as a felon, and highway robber; law, justice and humanity combine to repel an idea so dreadful. The great and benevolent act for the gradual abolition of slavery did not abolish the distinction between bond and free negroes and mulattoes, the free man and the absconding slave, the master who brought his slave here to reside, and the master who came here in pursuit of one who absconded from him; and when you are invoked to respect the legislation and spirit of the state, you will remember that this consists in obedience to its laws, which expressly declare—that they give no relief or shelter to runaway slaves from other states—that their master shall have a like right, and aid, to demand, claim and take them away, as if the law for the abolition of slavery had never been passed; and remember too, that this law is expressly declared not to be changed or repealed by the law of 1820, under color of which the defendants claim the right to consider the plaintiff as a felon for doing the very act, for which he had a right to aid, help and assistance by the abolition act, and by which the runaway slave was denied relief or shelter within the state.

While the abolition act put free blacks on the footing of free white men, and abolished slavery for life, as to those thereafter born, it did not otherwise interfere with those born before, or slaves excepted from the operation of the law; they were then, and yet are, considered as property—slavery yet exists in Pennsylvania, and the rights of the owners are now the same as before the abolition act—though their number is small, their condition is unchanged. The rights of the owners of fugitive slaves to take them to their homes in another state, were as perfect in 1822 as they were before the revolution—these rights are defined by the abolition act in the most plain, explicit terms, without any condition imposed on their exercise. The right was complete and perfect, if there existed between the person seizing and the person seized, the relation of owner and slave, or master and servant, the master or owner might take away his slave or servants to another state or country where he resided, without the consent of the negro, the person with whom he lived, the neighborhood, or the order or warrant of any magistrate. The law was his warrant, his authority, in the execution of which the master had a right to aid, and it is by this law that the rights of the parties in this suit must be tested in this case. If Jack, therefore, was the slave or servant of Mr. Johnson, he was no felon, kidnapper or ruffian, the act of seizure was lawful; and if the defendants, or any of them, beat, assaulted, arrested or imprisoned him, or any one acting by his authority, the act was illegal, without the lawful warrant or authority of an officer of the law.

Had the defendants any such authority?

In inquiring into the laws of Pennsylvania, on the subject of the rights and liberties of its citizens, and those of other states, a court who is to decide and instruct a jury upon them according to the law of the land, is not at liberty to overlook that law which is supreme. If the constitution of this state or the union prescribes rules for the conduct of officers in relation to arrest for crimes or breaches of the peace, we must obey them according to their terms, meaning and judicial exposition, without regard to opinions or treatises delivered or published elsewhere; an examination of rules to be deduced from such sources does not suffice for the faithful discharge of our duties; we at least must search for that law which we must respect and obey, as well as enjoin on your observance.

The 8th section of the 9th article of the bill of rights in the constitution of Pennsylvania declares, "that the people shall be secure in their persons, houses, papers and possessions, from unreasonable searches and seizures—and that no warrant to search any place or to seize any person or things, shall issue without describing them as nearly as may be, nor without probable cause supported by oath or affirmation."

The 4th amendment to the constitution of the United States declares, "that the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized."

The supreme court of this state have decided that a warrant for forgery issued by a president of the court of common pleas, on the ground that it appeared to the judge, from common report, that there was strong reason to suspect the party charged to be guilty, and that he was likely to depart and retreat to parts unknown, before the witnesses could be summoned to appear before the judge—to enable him to issue a warrant on oath was illegal on the face of it, and a constable not bound to execute it. 3 Binney, 43 4, Purd. The first order issued by judge McNeill was to John Kinderdine, without oath, affirmation or any probable cause whatever—on the mere statement made by him, the particulars of which the judge has been unable to recollect, so as to even state them at the trial for our information—if instead of a verbal direction to bring the Jersey party before him, he had issued a warrant for the purpose, the legal result would have been the same.

Being in direct violation of both constitutions, utterly wanting every requisite prescribed, this order was, as every warrant or written authority from the judge would have been, utterly illegal, null and void to all intents and purposes—affording no justification to Kinderdine, to execute it or to any one in assisting him—any act done under such an order is as illegal as if none had been given, and for any injury done to the person or property of the plaintiff, or the others of his party, an action would lie as well against the judge as all those who acted in pursuance of that order, whether it issued to bring the parties before the judge to prove the plaintiff's property in Jack, or to answer for a crime or any offence against the laws.

The liberties of our citizens do not depend on such a tenure as an admission of the legality of this order would imply, nor are constitutional provisions for their protection, to be deemed such solemn mockeries as we should make them by justifying the conduct of the defendants in pursuance of it.

You will therefore consider every act done by them or any of them, every assault or offer of force, arrest, confinement or restraint of the personal liberty of any of the Jersey party, under or by virtue of the order of judge McNeill, as wholly without authority of the law and in direct violation of its most solemn provisions.

We now come to the second order of the judge.

The judge tells us that he took it for granted, from seeing the justice and constable in company, that the Jersey party were in their legal custody, and in consequence of such belief, he suggested the propriety of committing the negro to the county jail, and binding over the other party to prove their property, if they had any. If you believe the statement of the judge, there can be no difficulty in deciding on the merits of this part of the transaction, taking it in either way. As a compulsory proceeding on the Jersey party to compel them to prove the property in Jack, it was without any authority of law as utterly void as the former order. If it was to detain, confine or arrest them on a criminal accusation, it was unconstitutional, for the want of an oath and probable cause; there is no evidence of even an accusation made against them in any specific shape, or charging any definite offence; the judge does not state that any application was made for any process to be issued by him—if he is credited, he gave no order, but only suggested, advised or recommended the course he pointed out.

You will judge from the whole evidence, what was the nature and object of the proceeding before the judge, and of what he did advise or direct. By referring to that part of the book of justice Tompkins, which has been read, it seems to have been well understood by him at least, "that it was thought advisable to commit the said Jack to jail for safe keeping, until the said Caleb Johnson should have an opportunity to prove his property." The recognizance of Mr. John and Justinian Kinderdine, taken on their return from the judge's on Sunday night, shows their understanding of the matter; the condition was to deliver to the said Caleb Johnson, whenever *his claim is completely established*, or deliver him up at the next court of quarter sessions of Montgomery county, &c. This was the only act of Mr. Tompkins which appears to have been done officially by him that night, of which there is any evidence, unless the setting Jack free under the recognizance was intended to be an official act. As the advice or direction of judge McNeill was not pursued by the commitment of Jack, the condition of the recognizance was one which the judge or justice had no power or right to impose—the proceeding at the judge's was wholly illegal, and the detention of the Jersey party that night lawless and unjustifiable.

We now come to the proceedings before the justice on Monday morning. According to the account of Mr. Roney, the constable, no witnesses were examined, no oath or affirmation was administered by the justice, or any question put to the Jersey party, except whether they had bail; they said they could procure bail if they had an opportunity—the justice said he must commit them, and took up his pen to write, the constable then said he would be forthcoming for their appearance next morning, and they returned to the Billet. Skillman gave the same account of this part of the transaction at the justice's.

If you believe this statement, it is the worst part of the transaction; with ample time to proceed deliberately in due form of law, with no crowd or confusion to prevent a full and patient examination, there was no excuse for not strictly pursuing every step required by the law and constitution. The question of

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Jack's slavery had assumed a definite shape by his admission before the judge in the presence of justice Tompkins and the rest of the party; that he was born a slave, and that he had lived with Mr. Johnson as such; he admitted his slavery till he was thirty, when he alleged he was free by the will of judge Berrian, of New Jersey. The production of this paper then was necessary to make out the truth of Jack's assertion, but it does not appear to have been called or sent for, nor was Jack called on to verify his statement on oath, though he was a competent witness against Mr. Johnson, if he was a free man or only a servant for years.

It is a very remarkable circumstance that we have no evidence on this subject except Jack's admission before the judge, that he was not recognized as a witness to appear at court; that though he attended the trial he was not a witness on the indictment, and though now free and residing at a very convenient distance to attend the trial or answer interrogatories—we do not know what he would say on oath, or what account he gave of himself on coming to Mr. Kinderdine's. The entry on the book of Mr. Tompkins describes him as there in the employment of John and Justinian Kinderdine—how long we know not, but if the money he gave to Mr. Ellis at the trial at Norristown was his own, you may presume it was a considerable time—if you take the sum according to Mr. Ellis' evidence there, it was fifty; if according to his evidence now, it was thirty dollars. Jack is now a competent witness to any part of the case—by their not producing or taking his evidence, or examining any witness to show the account Jack gave of himself, or what other reason the defendants had for believing him free, and prosecuting the plaintiff for felony, than Jack's assertion at judge McNeill's—you and we must consider it as the only evidence for our consideration on this part of the case. Justice Tompkins appears to have acted on no other evidence of the fact of slavery or freedom, the whole prosecution rested on that fact; if Jack was free the defendants might have been guilty; if he was a slave to the plaintiff, they could not be guilty of kidnapping. There could not be probable cause for the prosecution, unless there was at least some legal evidence of his freedom made out by oath or affirmation. Jack's assertion not under oath or affirmation, was not even the shadow of probable cause—to justify the justice in committing, arresting, detaining or issuing a warrant for the apprehension of the Jersey party, or any of them. If a warrant issued on no other proof it would have been illegal even for their arrest; a commitment without warrant would have been without any authority; a verbal direction to detain or confine them was equally so.

Does the evidence of Robert Tompkins change the result?

It is your exclusive province to decide on his credibility, you may believe or disbelieve his evidence as you may think proper; but in giving you our opinion as to its legal effect we must consider it as true.

He says that John and Sarah Kinderdine were examined before the justice, but does not state what evidence was given, and no paper or book containing it was given in evidence; this removes one constitutional objection—but it leaves the proceedings open to another fatal one, the want of probable cause on which to issue a warrant or order of arrest. This witness does not state whether any of the other party was present or not. This is an all important matter. The ninth section of the ninth article of the constitution provides, "that in all criminal prosecutions the accused hath a right to be heard by himself and counsel, to demand the nature and cause of the accusation against him and to meet the witnesses face to face."

The sixth amendment to the constitution of the United States provides, "that the accused shall enjoy the right to be informed of the nature and cause of the accusation against him, and to be confronted with the witnesses."

It is therefore incumbent on the defendants to satisfy you that the parties accused before the justice, were present on the examination of the witnesses against them; if it took place before they were brought before him and was not read to them or information given to them of its substance; or if it was had after they left the office or done at any time, as a color or cover for the proceedings which took place without the presence or knowledge of the accused, it was not only utterly lawless but aggravated by being done under the pretence of conformity to the provisions of the constitution.

As to all the proceedings then of the defendants which took place either for the purpose of taking the Jersey party before the justice or judge to prove the property of the plaintiff or to establish a charge of kidnapping; we instruct you without hesitation, that they were without any warrant or authority of law, wholly unqualified and illegal.

We will now inquire whether there was any lawful course to arrest on any other ground.

If Jack was the slave or servant of Mr. Johnson, if he absconded from his residence in New Jersey to this state, he was entitled to neither relief or shelter by the abolition act, it was prohibited by law, to harbor, deal with, conceal or employ him, without notice to his master, (if known) under a severe daily penalty. The laws of the state recognized him as the property of the plaintiff which he had a right to take away from this state to his residence. The 1st section of the bill of rights in the constitution of Pennsylvania declares, "that all men have the inherent and indefeasible right of enjoying and defending life and liberty, of acquiring, possessing and protecting property," "that no man can be deprived of his liberty or property but by the judgment of his peers, or the law of the land." Sect. 9.

"That the right of citizens to bear arms in defence of themselves and the state shall not be questioned." Sec. 21.

The second section of the 4th article of the constitution of the U. States declares "the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states."

The 10th section of the 1st article prohibits any state from passing any law "which impairs the obligation of a contract."

The second amendment provides, "that the right of the people to keep and bear arms shall not be infringed."

The sixth, "that no man shall be deprived of liberty or property, without due process of law."

In addition to these rights Mr. Johnson had one other important one to which we invite your special attention, and a comparison of the right given and duty enjoined by the constitution of the United States with the eleventh section of the abolition act of 1780.

"No person held to serve or labor in one state under the laws thereof, escaping into another, shall in consequence of any law or regulation be discharged from such service or labor, but shall be delivered up on claim of the party, to whom such labor or service shall be due." 4th art. sec. 2, clause 3.

Pursuant to this provision of the constitution, the act of congress of the 12th February, 1793, was passed, not to restrain the rights of the master, but to give him the aid of a law to enforce them. This law has been read to you, together with the opinion of our respected predecessors, in the case of Hill *vs.* Law, to which we give our entire assent, so far as it affirms the unqualified right of the master to seize, secure and remove his fugitive slave.* Do you perceive in this any thing discordant with the feelings, the spirit, the policy, or the legislation of Pennsylvania, as manifested in the abolition act, or the one passed to amend and explain it. Do these constitutional and legal provisions give any right to the plaintiff, or enjoin any duty on others, which are not the fundamental principles of her own laws, as acted on and enforced in her own courts, as of paramount and supreme authority. If you have any doubt, here is the opinion of one of the most humane and benevolent judges who ever presided in any court, the late chief justice Tilghman, in delivering the opinion of the supreme court of this state—Wright *vs.* Deacon 5 S. & R. 63.

"Whatever may be our private opinions on the subject of slavery, it is well known that our southern brethren would not have consented to have become parties to a constitution under which the United States have enjoyed so much prosperity, unless their property in slaves had been secured. This constitution has been adopted by the free consent of the citizens of Pennsylvania, and it is the duty of every man, whatever may be his office or station, to give it a fair and candid construction." After referring to the constitution, he observes—"Here is the principle—the fugitive is to be delivered upon *claim* of his master." But it required a law to regulate the manner in which this principle should be reduced to practice. "It was necessary to establish some mode in which the claim should be made, and the fugitive be delivered up." He then recites the act of congress, and continues—"It plainly appears from the whole sense and tenor of the constitution and act of congress, that the fugitive was to be delivered up on a summary proceeding, without the delay of a formal trial in a court of common law. But if he had really a right to freedom, that right was not impaired by this proceeding—he was placed just in the situation in which he stood before he fled, and might prosecute his right in the state to which he belonged."

This is in the spirit of the law, policy and feeling of Pennsylvania, as declared by the supreme court, and if the acts and proceedings of inferior courts and judges in opposition to the rights of the owners of fugitive slaves are quashed as illegal, of what nature must be the lawless conduct of individuals, who, by an assumed authority, undertake to obstruct the execution of the supreme law of the land? The supreme court declares that the constitution of the United States, would never have been formed or assented to by the southern states, without some provision

*NOTE 2. *Extract from the charge of judge Peters in Hill vs. Law.*

To carry into effect the constitutional provisions on this subject, the act of congress of February 12th, 1793, was enacted. This act empowers the person to whom a fugitive from labor or service is due, his agent or attorney "to seize or arrest such fugitive from labor, and to take him or her before any judge of the circuit or district courts of the United States residing within the state, or before any magistrate of a county, city, &c. wherein such seizure was made, and on proof of owing service to the claimant, *either by affidavit or other evidence taken before a judge or magistrate of the state from which the fugitive escaped*, the judge or magistrate of the state in which he or she is arrested shall give a certificate thereof to the claimant, his agent or attorney, which shall be a sufficient warrant for removing such fugitive."

By this it clearly appears that the claimant, his agent or attorney, has the authority of this law to seize and arrest without warrant or other legal process, the fugitive he claims, and *that* without being accompanied by any civil officer, though it would be prudent to have such officer to keep the peace. Whilst thus seized and arrested, the fugitive is as much in custody of the claimant, his agent or attorney, as he would be in that of a sheriff or other officer of justice, having legal process to seize and arrest, who may use any place proper, in his opinion, for temporary and safe custody.

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for securing their property in slaves. Look at the first article, and you will see that slaves are not only property as chattels, but political property, which confers the highest and most sacred political rights of the states, on the inviolability of which the very existence of this government depends.

The apportionment among the several states comprising this union, of their representatives in congress.

The apportionment of direct taxes among the several states.

The number of electoral votes for president and vice president, to which they shall respectively be entitled.

The basis of these rights is—"according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians, not taxed, *three-fifths of all other persons.*" So that for all these great objects, five slaves are, in federal numbers, equal to three freemen. You thus see that in protecting the rights of a master in the property of a slave, the constitution guarantees the highest rights of the respective states of which each has a right to avail itself, and which each enjoys in proportion to the number of slaves within its boundaries.

This was a concession to the southern states; but it was not without its equivalent to the other states, especially the small ones—the basis of representation in the senate of the United States was perfect equality, each being entitled to two senators—Delaware had the same weight in the senate as Virginia.

Thus you see that the foundations of the government are laid, and rest on the rights of property in slaves—the whole structure must fall by disturbing the corner stones—if federal numbers cease to be respected or held sacred in questions of property or government, the rights of the small states must disappear and the government and union dissolve by the prostration of its laws before the usurped authority of individuals.

We shall pursue this subject no further in its bearing on the political rights of the states composing the union—in recalling your attention to these rights which are the subject of this controversy we declare to you as the law of the case, that they are inherent and unalienable, so recognized by all our fundamental laws.

The constitution of the state or union, is not the source of these rights or the others to which we have referred you, they existed in their plenitude before any constitutions, which do not create, but protect and secure them against any violation by the legislatures or courts, in making, expounding or administering laws.

The nature of this case, its history, and the course of the argument call on us to declare explicitly what is the effect of a constitutional protection or guaranty of any right or the injunction of any duty. The 26th section of the bill of rights in the constitution of Pennsylvania, is in these words "To guard against transgressions of the high powers we have delegated, we declare (we the people of Pennsylvania), that every thing in this article is excepted out of the general powers of government and shall forever remain inviolate." A higher power "declares this constitution and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding," 6 art. 2 clause const. U. S.

An amendment of the constitution is of still higher authority, for it has the effect of controlling and repealing the express provisions of the constitution authorizing a power to be exercised; by a declaration that it shall not be construed to give such power. 3 Dall. 382.

We have stated to you the various provisions of the constitution of the United States, and its amendments, as well as that of this state; you see their authority and obligation to be supreme over any laws or regulations which are repugnant to them, or which violate, infringe or impair any right thereby secured; the conclusions which result, are too obvious to be more than stated.

Jack was the property of the plaintiff, who had a right to possess and protect his slave or servant, whom he had a right to seize and take away to his residence in New Jersey by force, if force was necessary, he had a right to secure him from escape, or rescue, by any means not cruel or wantonly severe—he had a right to carry arms in defence of his property or person, and to use them if either were assailed with such force, numbers or violence as made it necessary for the protection or safety of either; he had a right to come into the state and take Jack on Sunday, the act of taking him up and conveying him to the Billet, was no breach of the peace if not done by noise and disorder, occasioned by himself or his party—and their peaceable entry into the house of Mrs. Kinderdine was lawful and justifiable, for this purpose, in doing these acts, they were supported by laws which no human authority could shake or question.

The power of the state was incompetent to impair the obligation of the contract or purchase from Ranley and Berrian, or to discharge Jack from the service of his master; he could not be impeded in the prosecution of his lawful pursuit, or restrained of his liberty without the commission of an offence and process of law.

Did they commit any breach of the peace?

Joseph Kinderdine proves he was in the house when they entered and took Jack, he heard no noise, and did not see them enter—he informed his uncle of what had happened, came with him and his aunt to the wagon, but does not recollect what was said.

Sarah Rakestraw testifies she heard Issachar ask them to prove their property, to which they replied, to stand off, and if he resisted they would blow him through—if this witness is credited, it shows the use of language rude and rough; but it did not amount to a breach of the peace without an offer to use an offensive weapon, or proof of some act done. Had such offer been made when Mr. Kinderdine was doing an act which interfered with their rights, they would have been justified in using as much force as was necessary to enable them to proceed in their lawful business—his demand of proof of property was unauthorised, if the law gave him this right he would also have the right to judge of its sufficiency; but he was acting in his own wrong in making the demand, and they were under no obligation, legal or moral, to exhibit their papers, and submit to an examination by him in the highway. A request, at a proper time and place, and under circumstances where there would be any probability of a candid and impartial attention to legal evidence, respect for the rights of property, or the laws of the land, would if refused rudely, have indicated a disposition on the part of the Jerseymen extremely reprehensible, and put their refusal on a very different footing from that in which it appears by the evidence of Miss Rakestraw; though even in such case they would not have been compelled by law to show their property or authority, yet rude conduct or language would have tended much to have palliated any excitement or violence which followed a refusal to accede to a proper request. On this subject there is much weight in the remark of the defendant's counsel, that there is a social law, a law of decent respect for the opinion of others, which ought not to be overlooked in the assertion of right—but it is most certainly a gross violation of this social law, to rudely demand as a right, that which ought to be conceded only to courtesy of manner, and propriety of time, place and circumstance.

The next act of the Jersey party which is complained of, is the threat to blow out the brains of Issachar Kinderdine, when he either had seized or was about to seize one of their horses by the head, for the purpose of stopping them in the road, near the meeting house. At this time there was a crowd of some 20 or 30 about the wagon, and shortly after the plaintiff was struck in the head with a stone.

Under such circumstances, a demand to prove property or to stop, was most unseasonable and improper, any attempt to stop them was unlawful, and would have justified the repelling such an attempt by as much force, and with such weapons as would be necessary to their safe passage to the Billet; what was said or done by them was no breach of the peace, or other offence, which in any manner justified their arrest or detention, 5 S. & R. 301.

It would be a severe reproach on the laws of the state if any of the acts testified to have been done by the plaintiff or his party could be deemed a crime or offence, it is our duty to say to you that in point of law they were guilty of neither; their conduct did not expose them to any other notice of the law than possibly the fine for doing worldly business by the mere seizure of Jack on the Sabbath. If that had been the only offence imputable to them by the defendants, you may be inclined to think with us that the Jersey party were not the only persons who were exposed to the penalty—it may well be doubted whether it was a work of necessity, mercy or charity, to proceed further on that day than was done by the defendants before the Jersey party and the crowd reached the Billet.

At any rate, travelling on Sunday does not fall within the legal description of worldly employment or business, or any offence within the law cognizable by a magistrate, 5 S. & R. 301—as going from Mrs. Kinderdine's to the Billet.

The next inquiry is whether the plaintiff has been assaulted, beat, or imprisoned by the defendants, or either of them, and by whom. An assault is an offer to strike, beat, or commit an act of violence on the person of another, without actually doing it, or touching his person.

A battery is the touching or commission of any actual violence to the person of another in a rude or angry manner.

Imprisonment is any restraint of the personal liberty of another; any prevention of his movements from place to place, or his free action according to his own pleasure and will; a man is imprisoned when he is under the control of another in these respects, or either of them against his own will.

It is false imprisonment when this is done without lawful authority, and such imprisonment is deemed an assault in law, though no assault in fact is made; the one includes both offences, the act being unlawful. In actions for injuries of this kind, all parties who are proved to have taken any part in the assault, battery or imprisonment, are principals, and answerable for all acts done by themselves or by any others concerned in the transaction, by their order, consent, or procurement; or in pursuance and furtherance of an object or enterprize in which they have all engaged, and which is illegal. If two or more agree or combine to effect an unlawful purpose, each one of the party is civilly answerable for all acts done in or leading towards the accomplishment of the joint object, directly connected with it or naturally consequential. If the object and purpose is entered upon and commenced by the parties concerned, and other individuals, or a crowd assembled in consequence, and consummate the act or join in its execution; the original parties are responsible for their conduct, though the immediate actors may be unknown to them, or have no other concerted agreement or connection with them, than by the unlawful acts committed, intended or tending to effectuate the original object and purpose.

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If a man does an unlawful act, apt or likely to do an injury to some person, and an injury is actually caused thereby, it is immaterial by what intermediate hand it is inflicted, the first wrong doer is directly answerable to the injured party as the immediate trespasser; as where a man threw a lighted squib into a crowded market house, it was thrown by one and other, till it struck a person and put out his eye—the man who first threw the squib was made answerable, 3 Wils. 407. So is the law where one man publicly and unjustly charges another with the commission of an offence or crime of which he is innocent, and an injury is inflicted on him by an excited crowd.

It is more dangerous than the squib, because more apt to be attended with fatal consequences, and no cry would be more exciting in Pennsylvania, in the most orderly community, than that of kidnapping.

You will then understand the law to be well settled, that it is not necessary to bring home to any of the defendants, the definite act which has caused the injury; the law fastens the consequences of any illegal act upon them, which they have, in any manner as before mentioned, directly or indirectly, done, brought about or caused.

Their mere presence, however, when the act is committed, does not make them accountable for it, without some participation on their part, or exciting, directing or encouraging it—there must be some evidence of their acting, or causing others to act. If they take any part you may consider any or each of them who do so, answerable for all that is done, unless you are satisfied that this interference was unconnected with the original and principal purpose.

If an illegal act is done under color of legal authority or process, from an officer who had no jurisdiction of the subject matter, or whose order or process is made or issued in violation of the law, the judge or justice, and party procuring it, are trespassers, so is the officer and all who act under him, if the process is void on the face of it, 10 c. 76, and his who procures such order on false pretences, is the most aggravated case. It is not necessary to constitue false imprisonment, that the person restrained of his liberty should be touched or actually arrested, if he is ordered to do or not to do the thing, to move or not move against his own free will, if it is not left to his own option, to go or stay where he pleases, and force is offered or threatened, and the means of coercion are at hand, ready to be used—or there is reasonable ground to apprehend that coercive means will be used, if he does not yield. A person so threatened need not wait for its actual application. His submission to the threatened and reasonably to be apprehended force, is no consent to the arrest, detention or restraint of the freedom of his motion—he is as much imprisoned as if his person was touched, or force actually used; the imprisonment continues until he is left at his own will to go where he pleases, and must be considered as voluntary, till all efforts at coercion or restraint cease, and the means of effecting it are removed.

On the part of Mr. Tompkins, it is contended that the plaintiff has failed in his action as to him, for want of the notice required by the act of assembly which has been read, Purd. 492.

This act applies to all official acts of a justice of the peace, and must be liberally construed so as to give them the full benefit of the protection intended by the notice. Though the act done is prohibited by law, and a penalty imposed, as for marrying a minor without the consent of his father, 5 Binn. 24, or arresting a party by warrant for an act which is no offence, as travelling on Sunday, or if in the honest exercise of his jurisdiction, he judges erroneously of the legal character and consequences of an act done, and treats as an offender, a person who has committed no crime, 5 S. & R. 301-2, he is entitled to notice. On the other hand, if he acts from improper motives, in a case where he had no authority to act at all, or in the manner in which he did act, he will be deemed to have acted merely under the color or pretence of his office, and not by virtue of it, and no notice is necessary. Nor if he took any part in this proceeding without intending to act as a justice of the peace in his official character, or did or directed any act to be done, in a matter whereof he had no jurisdiction. He must be clothed with official power to do the act officially, so that he is authorised to judge and decide whether the offence charged has been committed, or whether the thing done is punishable or within his cognizance—if he judges honestly, however mistakenly or ignorantly, he is entitled to notice in all such cases, though he cannot be justified in doing the act.

But if some things are indispensable to bring his official power into action, and those things appear not to have been done, his acts are null and void, and cannot be official; as issuing a warrant of arrest in a criminal accusation, without probable cause, supported by oath or affirmation—the power to do this is expressly excepted from all the powers of the government, by the bill of rights of Pennsylvania, and the amendment to the constitution of the United States.

No act can be by virtue of office, which the power of government is incompetent to authorise; it must be taken to be by the mere color of office, and no notice is necessary, whatever his motives or intentions were. It is for you to decide on all the evidence in the cause applicable to Mr. Tompkins—how he acted in any of the scenes which occurred, you will consider him as any other defendant, as to all matters over which he had no official power to act, or in which he did not intend to act officially—you must find in his favor, if all his acts to the injury of the plaintiff were official.

These are points of law which furnish the rules for the decision of this case; you will apply the evidence you have heard to ascertain the facts as they bear on each defendant.

In contrasting the conduct of the respective parties, you can decide which has acted within and under the authority of the law, and which has violated it; if the evidence has made the same impression on your minds as on ours, there cannot be a doubt that the defendants have inflicted injuries on the plaintiff for which he is entitled to redress at your hands. If the rights with which he was clothed by the supreme law of the land, are to be neither respected or protected, you or we cannot be protected in its administration; our powers are derived from the laws and constitution of the state and union; his are from the same source and authority, and from one source higher than either. That power which can at its pleasure alter and rescind any of the provisions of the constitution itself, by a constitutional amendment; by that power Caleb Johnson is invested with and guaranteed in the enjoyment of rights which can be neither infringed or impaired by all the power of the state or general government so long as the supreme law to which they are subordinate is obeyed. And shall it be permitted to individuals acting under the impulse of their own feelings and passions to do what is forbidden to the legislative power of the country, with no other check on their actions than what they may call the social law of the place, or public opinion? This case illustrates the effects of indulging that false philanthropy which prostrates the law and the constitution in its zeal against slavery; as we remarked to you before, it extends not merely to make the slave free, but freemen slaves. The plaintiff and his party were denied the use of a bed, and this by zealots in the cause of humanity and benevolence. What would have been said of Mr. Johnson if he had refused Jack a place, and means of rest and sleep—and it is to sanction such philanthropy that laws are to be disregarded, not only to justify the defendants in attempting to liberate Jack, but forcing his master from place to place as a criminal, prosecuting and now denouncing him as a felon. Though he offered manumission to his slave on the first night, and has since executed it, the defendants did not then, nor do they now relent, even after the full investigation which the cause has undergone.

We had hoped that they would have offered some circumstances of mitigation or excuse, which would have made the question for your decision one of mere compensation to the plaintiff for the injury he has actually sustained, without giving any thing in damages by way of public example, to prevent future outrages against the laws and the constitutional rights of citizens of the United States. We very much regret that by justifying their whole conduct, and boldly making the issue before you one of right, there is but one mode left to you by which you can meet your duty to the parties and the country.

If there are any rights of property which can be enforced, if our citizens have personal rights which are made inviolable under the protection of the supreme law of the state, and union, they are those which have been set at naught by some of the defendants. As the owner of property—which he had a perfect right to possess, protect, and take away, as a citizen of a sister state, entitled to all the privileges and immunities of citizens of any other state, Mr. Johnson stands before you on ground which no law can take from under him—it is the same ground on which the government is built. If the defendants can be justified in what they have done, we have no longer law or government—and if the personal liberty of the citizens can be thus violated with impunity, there remain to us no rights worth protecting.

The political aspect of public affairs cannot be overlooked when a court and jury are called on to decide on constitutional questions. The country has happily passed through some exciting and painful scenes, threatening its peace. No one can tell what danger may be impending over us, or how imminent it may be—but it is certain that there is much cause for vigilance in all those concerned in the administration of the law of the land, in enforcing its provisions; and by punishing all infraction, in such a manner, that it shall be in its operation, as well as in its name, supreme—the only test and standard of right and wrong.

As citizens of Pennsylvania and the United States, it now rests with you to pass upon the rights in controversy between these parties; they are of the highest importance to every man in the community, and to the whole country, as affecting its deepest concerns.

The question of damages is exclusively with you—though the defendants have not given in evidence or urged by their counsel, any matters in extenuation, we cannot help remarking that they appear to be respected in their neighborhood; they are members of a society distinguished for their obedience and submission to the laws; than whom none other is more meritorious in their charity, benevolence and exemplary good conduct in all the relations of life. By what motives they were actuated towards the plaintiff, who never injured them or theirs in the pursuit of his property, is hard to imagine—it would seem that they were impelled by some cause not disclosed in the evidence or argument of the cause—some spirit or tone in public opinion; the temper of the times, some erroneous impressions of the policy of the law of 1820, or mistaken advice on its construction. This, however, is left to mere conjecture, as we are not authorised by the defendants to place their conduct on this footing, the case must be left to you on the question of right, according to the laws and constitution, as they have been shown to you, and on the question of damages, as you shall think the justice of the case demands.

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# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞The president, after two or three days repose, by the aid of his medical attendants, was enabled to proceed to the university of Cambridge, near Boston, on the 26th ult. where the honorary degree of LL. D. was conferred upon him by the faculty of that distinguished seminary of learning—as has been the custom on the visit of a president of the United States. After which he passed to Charlestown, where he was handsomely received and escorted to *Bunker's Hill*—from whence he proceeded on his tour, visiting Marblehead and Salem, &c. and arrived at Lowell, where he lodged. On the 28th he was received, in much form, by the state authorities at Concord, N. H. the legislature being yet in session—but he was a good deal exhausted, and compelled to retire from the press of the people. Here was the last place at which we had heard of him, until it was known that he passed through *Baltimore* in the night of the 3d of July —hastening home to Washington!

It appears that the president's health was such as to demand a rapid movement south, and one that would not be interrupted by calls made upon him, or other like demonstrations of respect—for he needed rest, and he found it on board of the steamboats and rail road cars, on his journey. Instead of going to Portland, in Maine, as was intended, he left Concord on Monday, the 1st, after breakfast, and arrived at Washington at 9 or 10 o'clock on Thursday, the 4th of July, making a journey of 474 miles, in *three days*, very considerably recruited. Such are the present accommodations for travelling.

The vice president and secretary of the navy, with Mr. Donnelson and col. Earle, arrived at Washington with the president.

The addresses of the governor of Massachusetts, of the mayor of Boston, and of the president of the university, are among the things which we have laid aside for record —for we regard them as fine specimens of what *ought* to be said on such occasions, *if* such formalities are deemed "necessary and proper"—of which we have considerable doubt, unless in extraordinary cases, such as the visit of LAFAYETTE—the most extraordinary man of his time, the illustrious link between the past and present generation, a *man*, indeed, of three generations, and great and glorious and beloved in all—the pure and *unquestioned* friend of all the human family—the brave, the disinterested, and the good.

We have inserted the address of Mr. Everett, and the reply of the president, at *Bunker's Hill*, and present a brief account of the reception at *Lowell*, because of the peculiar circumstances which belong to both places: for if the former be regarded as the "*Mount Pisgah*" from whence success in the revolutionary struggle was first clearly discerned, the latter may be respected as a splendid demonstration of the victory obtained in establishing the right to "*regulate trade;*" and, as our disputes with the "mother country" on *that* subject, caused the revolution, so the necessity of securing the benefits of the newly gained power to "regulate trade" brought about the adoption of our present federal constitution:* and the battle of *Bunker's Hill* will have been fought in vain, and the constitution be rendered null and void, when it is admitted that there is not power in the federal government to defend and protect the virtuous industry of the females of *Lowell*.

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☞The case of Mr. *Pleasants*, "attached" to appear at the circuit court of the District of Columbia, will interest many of our readers. If the proceeding is not retired from—important results may be expected from it.

*To "regulate trade" was the leading point made by *Virginia*, in Jan. 1786, when proposing that commissioners should hold a convention, &c. which resulted in the present federal union.



☞In anticipation of obtaining a copy of Mr. *Webster's* speech, delivered at Cincinnati, we have inserted what may be esteemed the preliminary matters.

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MR. WHITE. There is good reason to hope that the report of the decease of this worthy gentleman, is not true. A New Orleans paper of the 18th ultimo still presents his name as a candidate for the gubernatorial chair of the state.

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THE CHOLERA.

*Maryland*. A few cases have appeared on the line of the Chesapeake and Ohio canal, above Williamsport.

*Pittsburg*. A few more solitary deaths had occurred in this city—our latest dates do not show an absence of the disease; but afford no present cause to apprehend it will become epidemical.

A few cases have happened at Claysville.

*Kentucky*. The Bardstown Herald of the 22d ult. says, that no case of cholera had yet occurred in that town, though they had been very numerous in the neighborhood.

The Maysville Eagle of the 27th says "the cholera still lingers amongst us, though in a greatly mitigated form.

At Flemingsburg the disease had not suffered any abatement. It was thought that *one sixth* of the population who remained in the town, had died. Among them the editor of the "Intelligencer" and his two daughters.

It had appeared at Paris with almost unparalleled malignity. The town was literally deserted in 48 hours—but the flight of many was prevented by disease and death. In like manner it burst out at the Lower Blue Licks, a watering place thronged with visiters. The venerable major Bedinger, a relick of the revolution, lost every white member of his family, including a married daughter, and a son, a physician, who came to attend upon the family.

The cholera had not yet ceased at Lexington—but had so much abated, that the people were returning to their homes. The list of ascertained deaths in this city is awful, the population being regarded. There died, in 20 days—186 whites, 164 blacks, and 25 lunatics in the hospital—total 375.

One white person, 6 Indians and 5 blacks, have died of the cholera, at the Choctaw college, in Scott county.

A few deaths have happened at Cynthiana.

Many fatal cases have occurred in various parts of Kentucky. The disease seems suddenly to present itself, and then as suddenly retire without any known cause.

We had very alarming accounts of the breaking out of the cholera at *Louisville*—but it seems that up to the 25th only 10 or 12 deaths had happened, and these chiefly of persons who had been attacked on the river.

*Wheeling*. A letter signed by the physicians of this town (11 in number) addressed to the board of health on the 28th ult. says that no new cases of cholera had appeared in the last five days.

*Ohio*. Though a few cases still happened at Cincinnati, the disease had not at all assumed the character of an epidemic.

*Tennessee*. The cholera had ceased to prevail at Nashville on the 19th—but cases occurred in the adjacent country. It was bad at Pulaski.

From the 14th Dec. 1832, when the first case was reported, to the 20th June last, there died of the cholera at Nashville, 158 persons—of whom 65 were in the last 20 days of the period given.

*New Orleans*. A steamboat had arrived at Louisville from New Orleans, which lost 17 of her passengers by the cholera.

There were only 23 interments at New Orleans on the 17th ult. and a strong hope was entertained that the disease was about to cease its ravages; but private letters inform us that it was still causing a great number of deaths on the plantations.

It is stated that the use of calomel, in cholera, has produced almost certain death in Louisiana, in the present season. Opium seems to be chiefly relied on, for a successful practice.

*Mississippi*. A. M. Scott, governor of this state, has died of the cholera.

*Missouri*. Cases are happening in some parts of this state. The cholera had been dreadful at Palmyra. The whole population of the town was only 700—but, it is stated that 120 deaths occurred, from the 4th to the 22nd June!

*Texas*. The cholera has appeared in this country, but had not yet been very destructive.

*Cuba*. There is reason to hope that the accounts of the cholera at Havana have been much exaggerated.

*Mexico*. An arrival at New Orleans from Tampico, and the "Courier" says—a letter dated Tampico the 7th, states that in the 14 days previous to the 6th, there had been 500 deaths from the disease, and on that day the deaths amounted to 130.

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This fatality we believe is unprecedented in this country. The town of Tampico is estimated to contain 3,000 souls; by some there is said to be between 4 and 5,000 inhabitants. On the 8th (the day before the Emperor sailed) there was said to have been 183 deaths. We understand that it was generally confined to the lower classes, and but one foreign merchant had died of it.

A French barque, the name of which we did not learn, lost every person belonging to her with the exception of one man.

THE REV. MR. AVERY. There seems to be a foul disposition to persecute this man—though acquitted of the heinous offences with which he was charged, by a jury of his countrymen; and since then reinstated in the performance of his clerical duties, by a conference of his own church, after a full and deliberate examination of all the points—even some, perhaps, which the law of the land could not have reached. And because that we thoughtlessly, or inadvertently, copied a brief paragraph which insinuated that the jury had acquitted him rather on the principle that it was better many guilty persons should escape than an innocent one suffer, than because of the strength of the testimony in his favor—it is proper to recur to the subject and say, that facts have transpired, since the trial, which go entirely to relieve Mr. Avery of certain parts of the testimony which seemed to be the most decided against him.

THE AGRICULTURAL INTEREST. Though equally friendly to every pursuit of the laboring people of the United States, we have naturally had the greater or more decided interest in the business of the agricultural class—for the good reason that it is, by far, the most numerous and important: and, in doing all that we could to excite manufactures of iron, and other metals, wool, cotton, leather, wood, earths, &c. &c. the fact has always been present to our mind that a ton of iron or a bale of cloth, a pair of shoes or a ship, represented, (for each contains), a large proportion of its value in the products of the land, and of labor variously employed upon it. A bale of cloth, for an example, worth 400 dollars, made and consumed in the United States, as certainly represents an *agricultural* value of 300 dollars, as 60 barrels of flour *exported*, at 5 dollars per barrel—because of the *wool* contained in the cloth, and the *bread and meat*, &c. *which have entered into its composition*, through the subsistence of the makers of it. And, if the whole manufacture of woollen cloth in our country is worth $40,000,000 a year, as has been supposed, it is fully equal to an *export* of *thirty millions* worth of flour, beef, pork, &c. &c. for it matters not how the value is gained. The demand at Boston, Providence and other eastern cities and towns, for the flour of New York, Pennsylvania, Maryland and Virginia, much exceeds the general foreign demand—and the wheat-grower can discover no sort of difference in five dollars paid him on account of a barrel of flour consumed at *Lowell*, or in five dollars received because that a barrel of his flour is consumed in *London*. But he has this great advantage, though all are not so sensible of it as they should be, that the market at Lowell is steady—at London capricious; the first may be depended on, but concerning the second no calculation can be made; and there are other equally important reasons why the home market should be preferred which have often been urged upon the consideration of our readers, and need not be repeated on the present occasion. If the gross value of all the manufactures of iron, wool, cotton and leather, in the United States, be 125 millions of dollars a year (which is pretty near the real amount), we have the representative, in these articles, of nearly *one hundred millions* worth of the products of the land, and labor, *excited* to render the mines and the forests—the grain fields, and hay fields, the pastures and ranges, profitable—even mines of gold, without labor, have no more value than mountains of granite. The anthracite coal fields of Pennsylvania might have been purchased, a few years ago, for a few cents per acre; but labor has been applied to the making of canals and roads, and the value of these fields is immense—far greater than the *gold fields* of the south, or southern America, or even the diamond districts of Golconda and Brazil. And so it is—that the land holding, or *agricultural* interest, has, directly or indirectly, an average of two-thirds or three-fourths of the value of all the leading articles *manufactured* in the United States. Every steam engine employed depends on this interest for its fuel—every wagon, used in transportations, relies upon it for the supply and subsistence of horses, as well as the support of the *driver* of them—whose food constitutes a large part of *his* earnings. But if the driver were not so employed, he would probably be a producer of food; and, at least to the amount, or value, of his own consumption, interfere with the general market for food, and so depreciate its price. And what is price? It costs as much *labor* to make a bushel of wheat at 50 cents a bushel, as if at 200; and it is the manifest interest of the grain-grower—the farmer, to build up a market for his products. If all the people were farmers, *there would be no market for grain*. The foreign demand for bread-stuffs, including rice, is not equal to 2,000,000 barrels of flour a year—and what would be the *price*, per barrel, if every American citizen raised bread for his own family? *Not one-third of what it is;* for the small *surplusses* happening would do more than supply the whole foreign demand. And these surplusses would always exist—(times of scarcity excepted), because that the closest and best managing farmer must have *some* money, to be obtained through the sale of his productions; and hence the surplusses would always be pressing against one another, to reduce price. This must be clear to the understanding of every reflecting person, as well as that a *money-price* has only a certain relation to *value*. The annual subscription to the REGISTER is five dollars; but we can much better afford to send a copy of it to a new customer in exchange for a barrel of flour, than pay five dollars for the barrel of flour, in the usual course of business. The former would be *the disposition* of a surplus; but the latter bears *directly* upon the profit in possession. We have not time to carry-out the points now made; nor is it necessary with respect to those who will take the trouble to think. It is the great interest of the American community that the money-price of the products of the land should be high, and the demand steady. We would rather that the ordinary price of flour was 9 dollars then six dollars, and of cotton 15 cents per lb. than ten.* The circulation of money thereby to be caused, in extra profits earned, would enable us better to purchase three barrels of flour or three pounds of cotton-goods, at the high price, than one barrel or pound at the low one. And besides, every kind of labor would have its corresponding advance. Our doctrine will not lead to extremes. A glass of wine may be good for the "stomach's sake;" but a bottle may sicken the stomach. We would not *force* the money-price of the great necessaries of life, but earnestly and steadily *encourage* the production of them, relying on *competition* as a balance-wheel to regulate all affairs between producers and consumers. We refer to the HOME TRADE. The intercourse with foreign countries must rest upon its own laws—restricted or free, as *reciprocated* by the parties; but the amount of it is small, compared with that of the *internal commerce* of a country. In the United States, the home trade is as from 15 to 20 to *one*, as compared with our foreign commerce.

These brief hints or remarks, have been caused by the reception of a letter from a plain farmer of Chenango county, New York—who, in remitting his dues for subscription, was kindly pleased to hold a little familiar chat with us—which we are always thankful to receive, though the peculiar circumstances in which we are placed, forbids a reciprocation of such courtesies, in most cases. He says—

"The advance on wool in *Europe*, has enabled the domestic manufacturer to give a fair price for wool this season—and, as my farm is almost wholly devoted to the raising of wool, I am enabled to enclose you —— dollars. You are on the right track. It is the land and the labor on the land, that must be sacrificed by an abandonment of the protecting system. The woollen mill is precisely in the same situation to the grazier, as the flour mill to the tillage farmer. Neither could get on without the aid of the other. The flour mill will continue to grind if wheat is reduced to 50 cents per bushel—and the woollen mill will move if fine wool falls to 25 cents per lb. But to enable the farmer to furnish the wheat, he must reduce his rent and labor to one-half its present amount or cost—and the wool-grower must keep sheep at 50 cents, per annum, instead of one dollar, the present presumed fair cost of them—but the wheat cannot be supplied at 50 cents, nor the wool at 25, without corresponding reductions in the value of land and labor.

*Except on account of bad crops.

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"As you are in the habit of using figures for proof, I send you the annexed calculations. I am informed that the Oriskany woollen factory will, in the current year, require 200,000 lbs. of wool. Their agents, (and others), have come into this county to lay in their stock. To supply this 200,000 lbs. of wool will requre the whole clip of 80,000 sheep—2½ lbs. to the head. To support these sheep will require 530 grazing farms, 150 sheep to each, which is a large average for sheep-farmers. This is a great wool county—estimated to possess, at this time, 280,000 sheep, mostly of the fine woolled kinds, which have been increased, in consequence of the manufacturing demand, from 60,000, or thereabouts. These sheep have taken the place of the cow-pastures, and have raised the price of butter from 6 and 8 cents to 12½ and 15, cash, in any quantity. If these 220,000 extra sheep were destroyed, and their place occupied by cattle, 36,000 cows might be supported—the food of one cow being equal to that of six sheep, and their product would be 36,000 firkins of butter—but at a much reduced price, perhaps. We cannot import more than we can pay for. I think that we have now the requisite skill, and that the manufacturing interest will be as valuable as any other—as the price of flour may decline from 5½ dollars to 3 dollars. The south will then have no other gratification than in raising the price of European labor, and reducing that of northern labor to the same standard. The present general prosperity of the farming interest in this county, is entirely owing to the protection given to manufactures. There can be no mistake.

"Moses and Joshua warned the Israelites that when they were well settled and grown fat on the promised land—not to rebel, and forget their Lord and Protector. But they did forget and did rebel, and their sufferings were great—until a new generation destroyed their idols, and returned to the true faith. We must suffer—before our eyes shall be opened.

"P. S. Where a single woollen mill gives employment to half the inhabitants of a county—nearly 40,000 free persons, can it be doubted who are protected by a protecting policy?"

The population of Chenango, in 1830, was 37,404. We see it stated that the sheep in this county require 1,860 *farms*. At 2½ lbs. each, they supply 700,000 lbs. wool—say at only 40 cents, equal to 280,000 dollars.—Wool is the "crop" and *the* profit of the farmers of Chenango, generally, and a very handsome one it is—at fair prices. But the county also, fully furnishes itself with bread and meat, &c. and has many manufacturers and mechanics who keep up a lively market, at home, for the other surplus productions of the agriculturists, and supply them with many things which they need—the surplusses of all these being likewise added to the general stock of wealth, in exchanges with other parts of the country.

The preceding letter was not written for publication—but we thought that the facts set forth ought not to be lost; and hope that its author will excuse its insertion.

Important facts. We have adduced hundreds of instances, at different times, to shew that duties imposed on articles imported, are not, *necessarily*, taxes upon consumers; and that a reduced amount of domestic duties may only increase the profits of *foreign* producers. On this subject the "United States Gazette" says—"It is a fact well worth the attention of the honest opposers of a protection to American industry, that the principal articles of British manufacture which are admitted at a reduced duty under the altered tariff, have advanced in price in England, so as to cost the consumer here more than when they paid a higher rate. Stuff goods of every description, of which the consumption in this country is immense and increasing, have advanced full fifteen per cent. and coarse woollens generally from 10 to 12½ per cent.

"This result is no novelty to the merchant, nor by any means unexpected by him; as an individual, the change in no manner affects his interest injuriously. The price at which he sells an article bears a regular proportion to its cost of importation. To the country at large, it makes an important difference."

The west! About forty-five years ago, "Red Stone Old Fort"—the location of which is not very far from the centre of Pennsylvania, was called the "Back Woods;" and the writer of this well remembers the departure of a respected family for that place, of whom leave was taken as of persons now proceeding to the "Rocky Mountains." Next Ohio became "*the* west," then Indiana and Illinois, and the left bank of the Mississippi was the *extreme* "west." But the "Father of Waters" was leaped at a bound, and what is now the state of Missouri became *the* west—then Boon's Lick, and where the city of Jefferson now stands; *the* west was next located on the Yellow Stone, some two thousand miles from the Mississippi, but has been removed over the Rocky Mountains, and will soon have its place at the mouth of the Columbia river, on the Pacific ocean. When that happens, "the west" will no longer be heard of. In the present journey to *the* west, pretty near three thousand miles are passed over in steamboats.

A colored convention has lately been held at Philadelphia. Its chief purpose seems to have been to foster and extend an opposition to the African colonization project, now in operation; as the following resolution will shew:

"*Resolved*, That this convention discourage, by every means in their power, the colonization of our people, anywhere beyond the limits of this CONTINENT; and those who may be obliged to exchange a cultivated region for a howling wilderness, we would recommend to retire back into the western wilds and fell the *native forests of America*, where the *ploughshare* of prejudice has as yet been unable to penetrate the soil—and where they can dwell in peaceful retirement, under their own vine and under their own fig-tree."

☞It is in Africa or the West Indies, only, that the people of color can expect to possess the rights of self-government, in becoming a nation; and, without that, we regard it as morally impossible that they can obtain a much improved character or standing amongst men. The "ploughshare of prejudice" has forbidden it.

Liberia. From the "Liberia Herald"—"It is but a few months since we noticed the erection of two or three warehouses of good size, on our Water street, and among the improvements progressing in that part of our town, we perceive three other warehouses, belonging to Messrs. Nelson, Cheeseman and McGill, ready to receive their roofs. The great rise of property in this part of the town would astonish many across the Atlantic, who pretend to believe that land can be purchased for a mere trifle in this colony."

A "high school" was about to be established in Liberia, through the bounty of Henry Sheldon, of New York, who has given $2,000 for that purpose. Common schools are abundant; and there is a free school for recaptured Africans.

The "Herald" notices the *suicide* of a famous slave trader, John Ormond, of Bangoland, Rio Pongas. It is supposed that he had shipped 2,000 slaves in the last four years. It *does* appear as if there was an especial Providence over the affairs of the dealers in human blood. In almost every case that we have heard of, these wicked men have had their punishment in this world; and often, like Ormond, been hurried into the next, by acts of violence, committed by themselves or others.

Statistics. The intelligent part of the community will be much gratified with the following annunciation, in the "National Gazette"—

The hon. *Timothy Pitkin* is engaged on a continuation of his valuable "Statistics of the United States." He will use the latest materials, and particularly exhibit the condition of our West India trade since Mr. McLane's agreement.

Hurl Gate, or Hell Gate. We learn from the Providence Journal, that the steamboat Providence met with an accident on the 24th ult. which, had she not been an excellent vessel, must have resulted in very serious consequences. "When about to enter Hurl Gate, on her way to New York, very early in the morning, the weather suddenly became very thick and dark; and from

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some cause she was driven from her course, and struck on the well known rock called the Hog's Back. She was under her common pressure of steam and struck the rock with tremendous force. Some idea of the force of the blow may be formed from the fact, that the best bower chain cable, box and all, was driven with such violence against the railing, as to take the railing with it into the sea. The tables and chairs were overturned, and scattered in every direction—the crockery and glass ware were broken to pieces—the piano forte in the ladies' cabin had its legs broken off, and the passengers were thrown completely out of their berths. The scene is described as one of universal terror and confusion, but happily no person was seriously injured; indeed we have heard of no injury to any one, but capt. Thayer, and he was but slightly hurt. The boat soon proceeded on her way, and it is thought she has received little damage. No blame, we believe, is attributed to any one."

New Hampshire banks. Abstract of the report on the state of the banks, on the first Monday of May, last, presented to the legislature.

| | |
|---|---|
| Banks | *No.* 22 |
| Capital stock paid in | $2,271,308 |
| Real estate | 79,124 |
| Amount of debts due | 3,390,826 |
| Specie in the vaults | 464,571 |
| Bills of other banks | 86,013 |
| Deposites | 361,860 |
| Bills in circulation | 1,238,643 |

Red River Raft. *From the Louisville Advertiser.* The Herculean task of removing this raft is in rapid progress. A letter dated 15th May, and written on the theatre of operations, states that thirty-eight sections, embracing fifty miles of the raft, had been removed. The portions detached have been disposed of by running them into the low bottoms or down the bayous that lead from the main channel of the river in the lakes on either side. The leaning timber on the margin of the river has been taken away, and the small islands have been "unmoored" and disposed of. There is no doubt, that after the work shall have been completed, the navigation will be as good through what is now termed the raft, as it has heretofore been below the raft. The rapidity of the current has been doubled below by the work already done. The superintendent expected to continue his labors until the 25th of June, by which time the funds appropriated would be exhausted; but he felt confident of going through the first great section of the raft, and thereby extending steamboat navigation about eighty miles up the river, cutting off two-thirds of the keel boat navigation round the raft.

The party had enjoyed perfect health. The land is said to be excellent and well adapted to the cultivation of cotton. Millions of acres will be greatly improved in value by the work in progress. We only regret that the appropriation was insufficient to enable the persevering and accomplished superintendent to demolish the raft in a single season. Though it was supposed the work would take years of labor and cost a million of dollars, he will effect two-thirds of it with an expenditure of less than $22,000! The services of such an individual are invaluable.

Paris. A table of the births and deaths in the twelve arondissements of Paris, during the year 1832, which has lately been published, presents the following results: In the course of the year, there were 45,675 deaths, and 26,346 births; namely, 28,568 deaths, and 21,322 births in private houses; and 17,010 deaths and 4,992 births in the hospitals. Thus one-fifth of the population are born in the hospitals. Among the births in private houses there were 16,553 of legitimate children, and 4,769 of illegitimate. In the hospitals only 499 were legitimate, and 4,498 illegitimate. Thus of the total births above one-third were illegitimate children. The deaths exceed the births by 19,371; but by subtracting about 16,000 occasioned by the cholera, there remain nearly 25,000 deaths, which number corresponds with that of former years.

The 7th, 8th, 9th, 10th, 11th and 12th arondissements lost in private houses in 1832, the 22d part of their population, whilst the 1st, 2d, 3d, 4th, 5th and 6th, lost but one 34th. This disproportion becomes still greater, if, to the number of deaths in private houses we add those which took place in the hospitals, and which chiefly consisted of individuals belonging to the last six arondissements of Paris. The arondissements where the mortality was greatest, are the most unhealthy quarters of Paris, where the streets are narrow and the houses very lofty.

Algiers. The French editors are very indignant at the idea which earl Grey conveyed in the British house of lords, of a relinquishment of Algiers by France. They say—

"It is a great fault to have opened negotiations on such a question. France is mistress at home, and has no more occasion to apply to the English for the investiture of Algiers, than they had to apply to France for the investiture of Ireland. We possess this territory by more liberal and just titles than England possesses *Gibraltar, Malta* and the *Ionian Islands.* Shall, then, France be the only country in Europe that has not her right engraven on her sword?"

The circulating medium of England, for a period of paper basis and a period of specie basis, are thus estimated in the Times.

From 1810 to 1818 to be of bank of England and country bank

| | |
|---|---|
| paper | £45,229,000 |
| Silver | 4,500,000 |
| Balance of individuals at the bank of England | 1,672,603 |
| In all | £51,401,603 |

And in 1830 and 1831, (and probably at the present time), £52,523,815, viz:

| | |
|---|---|
| Bank of England | £20,142,005 |
| Country banks | 7,000,000 |
| Gold in circulation | 12,000,000 |
| Silver ditto | 8,000,000 |
| Private balance in the bank of England | 5,381,810 |
| | £52,523,815 |

Opium trade at Lintin, in 1832. The editors of the New York Mercantile Advertiser have been favored with a statement of the opium trade at Lintin, in 1832, from which they annex an abstract of the monthly sales, and the aggregate for the year, amounting to the enormous sum of nearly fourteen millions of dollars, equal it is supposed, to the whole export of tea from China.

| | Deliveries. | | |
|---|---|---|---|
| January, | 1,150 | chests, valued at | $916,618 |
| February, | 1,314 | " " | 985,083 |
| March, | 1,263 | " " | 1,023,344 |
| April, | 1,387 | " " | 1,069,391 |
| May, | 1,237 | " " | 961,242 |
| June, | 1,749 | " " | 1,213,651 |
| July, | 3,256 | " " | 1,682,531 |
| August, | 2,017 | " " | 1,130,071 |
| September, | 2,007 | " " | 1,115,180 |
| October, | 2,880 | " " | 1,687,660 |
| November, | 1,748 | " " | 1,270,968 |
| December, | 1,051 | " " | 861,667 |
| Total, | 21,062 | chests, valued at | $13,917,426 |

The largest stock on hand in any one month was in July, 11,503 chests—and the stock remaining on the 1st January, 1833, was 5,110 chests.

Speech making. In the vacation of parliament, the editor of the Spectator, in the hope of assuaging the speech making fever, has amused himself in affixing to the name of each member of the house of commons, the number of times each speaker addressed the house during the last session, and the columns occupied by the printed report of their speeches. Lord Althorp, we perceive, spoke 182 times, Cobbett 65, Hume 98, O'Connell 134, Sutton 46, Stanley 29, and sir Robert Peel 17. Lord Althorp occupied 59 columns, Cobbett 44, Hume 55, O'Connell 107, Sutton 7, Stanley 47, and Peel 30. The whole number of speakers was 292, and the whole number of speeches made was 1,776 [*N. Y. Com. Ad.*

Mrs. Ann Royall gives us the following "taste of her quality" in a late number of her Paul Pry—

*Washington gentility.* In our last visit to the war department, we found from a dozen to twenty of the most shameless ruffians on earth in the pension office. The only tolerable clerk, was a negro, and he blackguarded us out of the office.

[Some one has proposed that Mrs. Royall shall be sent to England on a tour, to *match* Mrs. Trollope's account of the United States. It isn't worth the cost and time. But and if it were, we think that the English *lady* would

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maintain her rank, unrivalled, in deliberate ———; what we must not say of a "*lady*."]

CROMWELL'S ORATORY. "Trust in the Lord, and rely on your pikes," was on one occasion Cromwell's address to his soldiers on going into battle. On another occasion his general address was, "Trust in the Lord, and keep your powder dry." Equally characteristic was his remark to his fatigued soldiers, when from the range of mountains called the Gallees he pointed to the fertile vales of South Munster, and said, "Soldiers of Israel! behold a country worth fighting for."

OUTRAGE ON AN INDIAN. A late number of the Apalachicola Advertiser states that three or four desperate ruffians attacked the house of col. Blunt, head chief of the Apalachicola Indians, at Iola or Bluntstown, in his absence, and having succeeded in breaking down the door with axes, plundered nearly all the personal apparel of himself and family, about $150 worth of goods, and upwards of $700 in cash. The money was a portion of the amount received by him last fall from the government, under the treaty concluded with colonel Gadsden, by which himself and Davy, the chief of Spanewatka, or Cochranstown, stipulated to remove with the people of their towns from Florida, this summer or fall.

[Had such an act been committed *by* Indians—what then?]

## FOREIGN NEWS.

*London 18th—Paris 20th May.*

GREAT BRITAIN AND IRELAND.

In the house of commons a motion was made on the 16th of May, by Mr. Cobbett, that the name of sir Robert Peel be stricken from the list of members of the privy council, in consequence of his being the author of the bill to restrict the issue of bank notes to the sum of five pounds. He was left, however, in a marvellously lean minority—only four votes being given in favor of the motion, and 278 against it.

Mr. Thomas Attwood, M. P. had left London to preside at a meeting of the people which he had called at Birmingham, to petition the king that he would discharge his bad ministers. It was thought that the meeting would not be allowed, because of the character of its getting-up, which was inflammatory; but if held, it was supposed that many vast assemblages of the people would follow it, for similar purposes.

The duke of Orleans was present at a grand review in Hyde Park. His visit has no connection with political movements.

A Paris paper says—It is not true that a duel has been fought in London between the duke of Orleans and Louis Napoleon Bonaparte. The duke of Orleans having made use of language at a ball, which being repeated to prince Bonaparte, was thought offensive by him, the latter demanded satisfaction. Colonel Marbot having replied, on the part of the duke, that being heir presumptive to the throne of France, he had more to risk in a duel than the exiles of the imperial family, it became a personal affair between M. Achille Murat and col. Marbot, who, by the by, is one of the individuals remembered by Bonaparte in his will, and who, after the death of the emperor, received, through the liberality of the great man, 100,000 francs. No meeting has as yet taken place between Messrs. Marbot and Murat, though at the departure of the post, matters were fast approaching to an appeal to arms.

The university of London is much involved in debt.

Lord Liffe, who squandered one immense fortune, has, by the death of a school-fellow, come into possession of another of 2 or £300,000, which he was distributing at Rotherhithe in splendid entertainments. His personal property was lately sold to pay his bill at an hotel.

FRANCE.

The Paris Moniteur contains the following [*royal*] documents:

In the year 1833, May 10th, at half past three in the morning, we, the undersigned, Thomas Robert Bugeaud, member of the chamber of deputies, major general, commandant of Blaye—Antoine Dubois, honorary professor of the faculty of medicine, at Paris—Charles Francoise Marchand Dubreuil, sub-prefect of the arrondissement of Blaye—Daniel Theotime Pastoureau, president of the tribunal de premiere instance at Blaye—Pierre Nadaud, procureur du roi of the same tribunal—Guillaume Bellon, president of the tribunal of commerce, and deputy mayor of Blaye—Charles Bordes, commandant of the national guards of Blaye—Elie Descrumbes, rector of Blaye—Pierre Camille Delord, commandant of the garrison of Blaye—and Claude Ollivier Dufresne, civil commissary at the citadel—witnesses called in by gen. Bugeaud, to be present at the delivery of her royal highness Marie Caroline, princess of the Two Sicilies, duchess of Berri—(M. Merlet, mayor of Blaye, and Regnier, judge de Paix, who were also summoned, being in the country, and unable to arrive in time). We went into the citadel and entered the house inhabited by her royal highness, and were introduced into the room adjoining that in which the princess lay. Dr. Dubois, gen. Bugeaud and M. Delord were in the room when the pains first came on, and declared to the other witnesses that the duchess of Berri had been delivered, at twenty minutes before three o'clock, after suffering but a very short time; that they saw her in labor, and receiving the assistance of Dr. Deneux and Dr. Meniere, Dr. Dubois remaining in the apartment till the delivery. Gen. Bugeaud then entered and asked the duchess whether she would receive the witnesses? She answered—"yes, as soon as the child is washed and dressed."

A few minutes afterwards Madame d'Hautefort came out, by desire of the duchess, to request that the witnesses would enter, which we did immediately. We found the duchess lying in her bed, with a new-born child on her left side. At the foot of the bed were seated Madame d'Hautefort and Madame Hanster; Dr. Deneux and Dr. Meniere were standing at its head.

President Pastoureau then approached the princess and addressed to her, in a loud voice, the following questions—"Is it to the duchess of Berri that I have the honor to speak?" "Yes." "You are positively the duchess of Berri?" "Yes, sir." "Is the new-born infant near you, yours?" "Yes, sir, this infant is mine." "What is its sex?" "It is of the female sex. Moreover, I have charged M. Deneux to make declaration thereof."

And, instantly, Louis Charles Deneux, doctor in medicine, ex-professor of clinical midwifery of the faculty of Paris, titular member of the royal academy of medicine, made the following declaration: "I have just delivered the duchess of Berri, here present, wife by lawful marriage of count Hector Lucchesi Palli, one of the princes of Campo-Franco, gentleman of the chamber of the king of the Two Sicilies, domiciliated at Palermo."

The count de Baissac, and the countess d'Hautefort being asked by us whether they would sign the relation of what they had witnessed, replied, that they had come here to attend the duchess of Berri as friends, but not to sign any act whatever.

Of all which we have drawn up the present *process-verbal* in threefold, one of which has been deposited, in our presence, among the archives of the citadel, the two others have been delivered to general Bugeaud, governor, whom we have charged to send them to the government; and, after this had been read, have signed on the day, month and year mentioned above.

Signed—Deneux; A. Dubois; P. Meniere; D. M. P. Bugeaud; Descrumbes, rector of Blaye; Marchand Dubreuil; Pastoureau; Nadaud; Belon; Bordes; Delord; O. Dufresne.

[The duchess would be shipped for Palermo, as soon as fitted for the voyage, in a vessel of war.]

SPAIN.

Nothing *important* from Spain, except that the king was to review 25,000 men, and the reception of the protest of Carlos against the female succession—with the usual supply of robberies and assassinations.

PORTUGAL.

The war between the royal brothers remains as it was. Miguel's batteries had sunk two schooners laden with provisions which were entering Oporto.

POLAND.

The people, made mad by oppression, have again appealed to force, on the frontiers of Gallicia, in large numbers—but they cannot hope to accomplish any good purpose. All that are able, and are willing to labor, should leave it.

*Paris, 20th May.* The grand council of Berne has proposals under consideration, the purport of which is, that permission shall be asked for the Poles to return to France who left that country on the news of the disturbances at Frankfort, and that, in the meantime, a specified sum shall be allowed for their support.

TURKEY AND EGYPT.

The accounts from Constantinople do not agree. While some say that the negotiations with Ibrahim had been broken off, because that, by order of his father, he insisted on the cession of Adana, others say that a treaty of peace had been actually signed between the sultan and the pacha, on which account great rejoicings had taken place at Alexandria; all the foreign ships in the harbor firing a salute of 21 guns. Yet this news is doubted.

The second corps of auxiliary Russians had arrived in the vicinity of Constantinople—another had landed on the *Asiatic* side of the Bosphorus, on the line between Ibrahim and the sultan.

☞ *Later news—London papers of the 22d May.*

*Great Britain and Ireland.* The question of the expediency of the *corn laws* has been again discussed in the house of commons; on which the London Courier says—

"It would appear from the observations of lord Althorp in the house of commons last night, that ministers are not agreed either as to the expediency of maintaining the protective corn duties to their present extent, or as to the mode of imposing duties on the importation of foreign corn. Earl Ripon, in the house of lords on Tuesday, distinctly declared his opinion in favor of a protective corn duty; and his declaration has been generally received throughout the country, as an intimation of the intention of the cabinet not to deprive the agricultural interest of the protection which the present system affords to them. Lord Althorp last night, expressed his doubts whether the present system of corn laws *did* afford any such great advantage to the landed interest. From the general tenor of his lordship's observations, it is impossible not to come to the conclusion that lord Althorp is inclined to a sort of free trade in corn; and the principal reason of his opposition to an inquiry into the operation of the present system of corn laws, is, as his lordship stated, the *unfitness of the time* for such an inquiry."

The cotton duties reduction bill, had passed both houses and received the royal assent.

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On the subject of negro emancipation, a question being put in the house of commons, to ministers, lord Althorp said that he was glad of an opportunity to state, that ministers were determined to persevere with the question with all possible despatch.

The accounts from Ireland represent the state of the public mind of that country as perfectly tranquil.

The ministers appear to have a large majority in the house of commons, in support of their project concerning *the* church in Ireland.

The great meeting of the political union of Birmingham, called by Mr. Attwood, had passed over without any disturbance; Mr. O'Connell was present. Some strong resolutions were passed condemning the repeal of the legislative union with Ireland.

Kean, the actor, died at London on the 15th May.

At the late great meeting of the people at Spitalfields (London) some disturbances took place and a police man was killed. The following was the verdict of the coroner's jury in the case.

"We find a verdict of justifiable homicide on these grounds, that no riot act was read, nor any proclamation advising the people to disperse; that the government did not take the proper precautions to prevent the meeting from assembling, and that the conduct of the police was ferocious, brutal and unprovoked by the people; and we moreover express our anxious hope that the government will in future take better precautions to prevent the recurrence of such disgraceful transactions in the metropolis." (Loud cheering in the room.)

The coroner said—I do not know how you can say all these things on the evidence which you have heard. The only evidence which you have to show you how this man met his death was that young woman, who saw the stab given to a man, who was acting in a laudable and unoffending manner; and how any one of the jury can justify such an act, I don't understand. I hope gentlemen, you will reconsider your verdict. You are not here to try the conduct of other persons, whether in the government or police. This, in my opinion is no verdict. (cries of oh, oh.) Indeed it isn't. It was not justifiable homicide; it was either wilful murder by some one you do know or some one you don't know. (Laughter, and oh, oh, which was suppressed by the officer in attendance.)

Foreman—We have patiently considered our verdict. There have been conflicting opinions amongst us; but we have all anxiously compared our opinions—and that is the conscientious verdict of us all, patiently and carefully formed with the most anxious deliberation.

Coroner—You are called upon to say how Robert Cully came by his death, and the only evidence you have to decide upon that is that of the young woman who saw him stabbed.

Several of the jury exclaimed "we do not believe her; no, not one of us."

Coroner—And why not?

A juror—Because she was contradicted by other witnesses. She said she was two minutes talking to the policeman, and it was proved by all the other witnesses that that was impossible. She was tutored.

Another Juror—She was; she was tutored by the police. She acknowledged to having been with them ever since that day. Why ask us to give a verdict against our consciences?

Coroner—You say there were no precautions. I think there were plenty of measures.

A juror—There were no measures to prevent the meeting; and the means employed to disperse it were disgraceful.

Coroner—Well, gentlemen, your verdict, is, that Robert Cully was killed with justifiable homicide?

Jurors—We do.

Coroner, (to the foreman—Well sir, I shall strike out all the rest. [The coroner here drew his pencil across all the words that followed "justifiable homicide."]

Foreman—I cannot agree to that, sir.

All the jury—Nor any of us.

Foreman—Before God and our country—on our solemn oaths—we have given the subject all the consideration in our power: and that paper which I have handed you, contains the judgment in which we have unanimously agreed. If you strike out any part of that, it is not our verdict.

Jury—Certainly not.

Foreman—We have told you our verdict; but we would not give an act of justifiable homicide standing by itself.

Coroner—Well, as you did your duty by giving in a verdict to say that a man is justified in stabbing an unoffending man.

Foreman—If proper measures had been taken, either by reading the riot act or proclamation, or any other means, we would not bring in a verdict to justify the homicide. Therefore to let that verdict go abroad alone, would be very dangerous, and it might be thought we justified the stabbing of a policeman who was legally employed.

Coroner—I think that is the fact.

Foreman—No, on the contrary, we wish to give the police every protection.

Coroner—What you call your verdict don't sound like it; I don't think that a fair verdict.

Several jurors—We will not give any other.

Coroner—It is not a good verdict.

A juror—Well, if you will not take it, you had better dismiss us, and call another jury.

A great deal more of the controversy between the coroner and the jury is given, but we have inserted enough of it to show the whole spirit of the proceeding. The first insisted on a reconsideration of the verdict, saying that it traduced the police and the government—the jury disavowed such a design, but would render no other verdict, &c. After the verdict was recorded—

The coroner said, "Gentlemen, I consider your verdict disgraceful to you; but I thank you for your great attention to the case."

The foreman bowing, said, "We thank you, sir."

Thereupon a number of persons in the room, which was crowded to excess, exclaimed, "Bravo, jurors; you have done your duty nobly, the country is indebted to you!" was followed by the most vociferous cheering in the room, re-echoed with prodigious vehemence by the crowd outside. As the jury withdrew, numbers of persons pressed forward and shook each of them eagerly by the hand. In the streets, as they passed, they were cheered by name, but the police were hooted.

The jury was occupied in this case from 10 o'clock, A. M. until 11, P. M.—and very much exhausted.

The stock of wool is small, and the price high, in England, though large quantities had been received from Australasia.

A bill for the better observance of Sunday, or the Sabbath, has been negatived in the house of commons—objections being made to its details.

The motion of Mr. Cobbett, respecting sir Robert Peel, (noticed above), was expunged from the journals of the house—295 to 5. The baronet was very severe on Cobbett, and the latter very disorderly. The reports of the speeches might amuse some of our readers, but the greater part would feel no interest in them.

On the 17th, Mr. Buckingham gave notice that on Thursday, the 30th of May, he would move, as an amendment to the government plan for emancipating the slaves, the following resolutions:

"1. That every slave in his majesty's dominions has an indefeasible right to emancipation, without delay, and without price.

"2. That from and after the 21st of August, 1834, the anniversary of his present majesty's birth-day, slavery shall cease to exist in every part of the British empire.

"3. That immediate measures be taken to ascertain the actual amount of pecuniary loss that may be sustained by the owners of colonial estates, by the substitution of free labor for slave labor on their several plantations; and to determine to what extent the national funds should be appropriated to compensate all those by whom such pecuniary loss may be actually sustained.

"4. That an adequate supply of preventive police, an independent and impartial magistracy, and teachers for infant and adult schools, be sent from the mother country to all our colonies in which slavery may be abolished, the expense to be borne out of the funds hitherto appropriated to the support of our military establishments in those parts, which, on the entire abolition of slavery, may be extensively and safely reduced."

*Portugal.* Pedro's prospect of success are said to be brightening.

*East Indies.* A scarcity of food is expected. A letter from Bombay, 29th November, says—

"We have had so little rain this year, especially in the Deccan, that grain and forage have risen in price greatly, so much so, that in Poonah and other places, the native troops have plundered several of the principal grain dealers. These disturbances have occasioned considerable trouble. The natives (the poorer classes) wish government to fix a rate for grain, which probably will be done. A common laborer's pay, in the Deccan, is from three to four rupees* a month—a sepoy is seven. Grain is now selling at 3½ rupees a maund, equal to about 28 lbs. English."

*Holland and Belgium.* The king of the former has agreed to an indefinite armistice, on which fresh speculations of peace are set afloat.

*London, May 22.* It is with the greatest satisfaction that we have to announce that a preliminary treaty was signed yesterday by the plenipotentiaries of Great Britain, France and Holland. By this convention the English and French embargoes will be taken off Dutch vessels in the ports of England and France, and the interruption of their navigation, on the part of the Dutch government, will be removed. The services of the English and French united squadrons will thus likewise be dispensed with, and the intercourse between the respective parties and Holland placed on the same footing as before the French expedition in November last. The Dutch garrison of Antwerp, now prisoners in France, will, by the same arrangement, be sent home. The armistice between Holland and Belgium will be continued till the definite settlement of a permanent separation, and till that time the navigation of the Scheldt will remain free. This convention has been agreed upon with the Dutch plenipotentiary, and was sent off to Holland for ratification yesterday.

*The Polish fugitives.* The following is the answer of the Polish fugitives to the council of Berne, on the proposal that they petition the government of France to be readmitted into that country:

"Consider yourselves, gentlemen, whether it is possible that we can take this step without injuring the dignity of our nation-

*The rupee, for common use, may be valued at 50 cents—but its real commercial value does not average more than 47½ cents. A common laborer's pay, in the East Indies, is from 150 to 200 cents per month—finding his own provisions! How does he live?

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al character, whose guardians we are. When we left France, in order to withdraw ourselves from the oppression of that government, we did not do so with a view of returning under the same yoke, if we might obtain an asylum there. We could willingly spare the noble Swiss nation the burden which the presence of a corps of 50 persons imposes on it; but we cannot return to France with the sacrifice of our honor, and to induce us again to enter France, the inhabitants of which country sympathise with us, the law which makes exceptions to our advantage must be first repealed. This is our resolution, which I hope you will approve. Accept, &c. (The signatures.)

"*Saignelegier, April* 25, 1833."

*Hamburgh, May* 17. The Russian government in Poland has published an ordinance of the emperor, dated the 23d ult. by which persons accused of certain political offences including the publication of false news, are ordered to be tried before courts martial, the sentence of such courts to be carried into execution as soon as they have received the confirmation of the viceroy.

The Warsaw papers also contain an account of 25 individuals belonging to the late Polish army, who were concerned in a recent unsuccessful attempt at insurrection. Five of the party were taken by Cossacks on the frontier; one of them poisoned himself, but the other four were brought before a court martial and sentenced to death. The sentence was carried into execution on three of the surviving prisoners; with respect to the fourth, on account of his extreme youth, the sentence was mitigated into corporeal punishment and hard labor.

*Turkey and Egypt.* There is no later news concerning the affairs of these countries.

## CITY OF PHILADELPHIA.

As a proof of the prosperity of Philadelphia, the enterprise and spirit of her citizens, the public improvements in progress, and the anticipated internal advantages in our city, the *Commercial Herald* had recently two articles on the local statistics of the city, chiefly relative to the public buildings or works, recently completed or now in preparation. We extract the list, with the computed cost of each building or work:

| | |
|---|---|
| The Fairmount water works, cost | $2,063,000 |
| Bank of the United States | 413,000 |
| Bank of Pennsylvania | 235,000 |
| Girard bank | 250,000 |
| Philadelphia bank | 50,000 |
| Mint | 175,000 |
| Arcade | 162,000 |
| University, (new buildings only) | 60,000 |
| Chesnut street theatre | 75,000 |
| Arch street theatre | 63,000 |
| Franklin institute | 34,000 |
| Schuylkill Permanent bridge | 300,000 |
| Upper Ferry bridge, Fairmount | 110,000 |
| Arsenal, on the Schuylkill, below South street | 150,000 |
| First Presbyterian church, Washington square | 55,000 |
| St. Andrews' church, Eighth above Spruce streets, | 65,000 |
| City prison, corner of Broad and Arch streets | 50,000 |
| American Sunday School Union | 42,000 |
| Sixth Presbyterian church, Spruce street | 30,000 |
| Baptist church, Sansom street | 33,000 |
| Baptist church, Spruce street | 25,000 |
| Twelfth Presbyterian church, Twelfth and Walnut sts. | 30,000 |
| Custom house and stores | 97,100 |
| Farmers' and Mechanics' bank | 50,000 |
| Commercial bank | 27,000 |

To these may be added the Pennsylvania institution for the deaf and dumb, academy of fine arts, academy of national sciences, masonic hall, city library, orphan's asylum, widow's asylum, Walnut street theatre, Pennsylvania hospital, almshouse, hall of independence, and a long list of other public buildings, and upwards of one hundred churches, the cost of which we are unable to state.

The following public buildings are now in progress:

| | |
|---|---|
| New exchange, to be completed next year, architect's estimate | $250,000 |
| Naval asylum, to be completed this season | 250,000 |
| Penitentiary, to be completed this season | 510,000 |
| County prison | 228,000 |
| Will's hospital, for the lame and blind, to be completed this season | 50,000 |
| Almshouse, to be completed next year | 7 to 800,000 |
| Girard college, just commenced, architect's estimate | *90,000 |
| Central Presbyterian church, estimate | 58,000 |
| Bricklayer's hall | 11,000 |
| Moyamensing hall | 13,000 |
| South front of Girard's square, 16 houses, 4 stories high, with marble basements, | 256,000 |
| North side of Girard's square, 22 houses | 200,000 |
| Rail road in Broad, from Vine to South streets | 60,000 |
| Public school, Front near Pine streets | 10,000 |
| Girard appropriation for improving the eastern front of the city | 500,000 |

From this statement it will be seen that the cost of the public improvement in progress at this time amount to nearly *four millions and a half of dollars*.

And on the assessed value of real estate in the city and county of Philadelphia—excluding all the public buildings, all the churches, the squares, burying grounds, &c. none of which are subject to taxation—the *Herald* has been able to ascertain the average value:

| | |
|---|---|
| In the city and liberties | $95,063,057 50 |
| Penn township, Germantown, Roxborough, Bristol, Oxford, Byberry, Moreland, Lower Dublin, Blockley and Kingsessing | 11,872,350 00 |
| Total | $106,935,407 50 |

*This must be short of the true amount—but it is so in the "copy" before us. ED. REG.

## THE LATE MR. TURNBULL.

We copy the following from the "Charleston Mercury" of the 22d ult. just as we find it—as a matter of record.

"INTERESTING DOCUMENT.

"At the late public meeting, in the course of a feeling and eloquent tribute to Mr. *Turnbull's* memory—after bearing testimony to the genuine kindliness and warmth of heart which all, who knew him intimately, acknowledged and loved—to the pure disinterestedness of his patriotism, his freedom from all personal rancor; and the lofty purity and generous chivalry of his motives, gov. *Hayne* produced and read a letter, which he had received from his deceased compatriot, immediately after the appearance of the president's proclamation—a time when it was expected that those who were true to the cause of Carolina, would have to seal their fidelity with their blood. The letter is as characteristic as it is honorable, and will remain among the records of the state a proud memorial of the deceased. We have been permitted to take a copy which we subjoin:

"*John's Island, 22d December*, 1832.

"SIR—The state having called upon her patriotic sons, to support her in her present arduous and unequal conflict with the federal government, I beg of your excellency to order my name to be enrolled, as a private, amongst the volunteers—to enter upon any service, to which your excellency may be pleased to appoint me.

I however submit to your excellency, that my untiring zeal in a cause, than which ancient or modern history records none so mighty to save the liberties of a people, entitles me to belong to that corps to which you may assign the post of the greatest difficulty, danger and honor.

"I have the honor to be, with the highest consideration and respect, your excellency's most ob't serv't,

"ROBERT J. TURNBULL.

"His excellency *Robert Y. Hayne, gov. of S. Carolina.*

"The reading of this letter, so full of the spirit of the Carolina Brutus, was received by the meeting with much emotion. The governor stated, that, knowing full well that this was no empty bravado, but a sincere offering, he accordingly assigned Mr. *Turnbull* to that corps, which had been chosen to form a rallying point and forlorn-hope, in case of alarm; that Mr. T. immediately came to the city, armed himself and regularly attended the drills of his corps: and he added, that he was very sure that, had a bloody conflict with our oppressors followed, and our liberties been cloven down, *Robert J. Turnbull* would not have survived to mourn their loss. None can doubt this, who saw how the spirit of the deceased rose as the storm thickened, and who heard his tone of proud defiance and animated confidence, when the frown of tyranny was darkest."

## THE CHOLERA AT LEXINGTON.

*Extract of a letter to the editor of the National Gazette, dated Lexington, Kentucky, June 16.*

"On Sunday, the 2d instant, that awful scourge of God, the cholera, broke out in Lexington, and its ravages have been dreadful and desolating, beyond example—not excepting even New Orleans. It is the opinion of the best informed, that not far short of 400 have fallen victims in about 14 days—and this too with a greatly reduced population. More than one-half, probably two-thirds, fled soon after its commencement. Not the intemperate, not the dissolute, not the wretched and poverty-stricken alone have fallen, but many of our best citizens—men of wealth, of character, of sobriety, of religion. No less than ten or twelve communicants in our church, and I presume a proportional number in all the rest. Many of our most worthy and respectable ladies also;—among them Mrs. Scott, relict of the late governor Scott. Thus the pestilence has seemed to take a more elevated range than it has usually done in other places. It is true, that many of the lower classes have fallen. It has been very severe upon the blacks, especially upon those who were *free*. They had nobody to care for them, and money would not command attendants. But, after all, no more than upon others, in proportion to their numbers.

"The progress of the disease has been frightfully rapid. Many have gone to their beds *well*, and have been in their graves before the next noon. The panic has been dreadful, and the more so as it was wholly unexpected. All that could fly, fled. The city authorities disappeared—no hospital for the poor provided—no board of health formed—no medical reports made or required—and now, no mode of ascertaining our exact loss. We can only *guess* at it by the numbers of the *missing*. Stores have been shut—hotels and taverns shut—public houses, printing offices, &c. all shut; and, in short, nothing *open* but grave yards and their *premonitories*—apothecaries' shops. Even butchers and bakers suspended their functions, and country people ceased to supply our market. In short, the general cry seemed to be that of Napoleon's shattered troops, at the battle of Waterloo—'Sauve qui peut.' Our physicians are either dead or broken down. Dr. Dudley alone I believe has stood it through, and is still on the alert.

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Some others are trying to follow his example, *a la distance*. Dr. Cooke, a host in such a scene, has been unfortunately put *hors de combat*, by a fall. But, alas!—the most they have done is by way of *prevention*. The *real* cholera has been cured but in a few cases. They tell us, indeed, that it will yield to medicine, if taken in season. By this I understand, before the disease fairly sets in. They can cure or stop the premonitory symptoms; and this, I think, is about the whole amount. If the disease be under the control of medicine, why, with some of the ablest physicians, as I believe, in the United States, have we lost 400 citizens? If the disease be, truly within the control of medicine, have not those physicians, who have devoted themselves, day and night, to the sick, an awful responsibility resting on them still *unredeemed?* But I have no doubt all has been done that was possible, in a state of society so completely disorganised. The general suffering has been great, and individual suffering beyond description. No paper has been printed, or handbill issued, because there was nobody to do it. All was consternation and dismay. Some, who fled, were soon brought back on the bier—others were buried in the country. Graves could not be dug, nor coffins made, so fast as they were wanted. A number of coffins, or boxes, were sometimes put in one hole. Ten or a dozen bodies have been left in the grave yard, unburied till their turn came the next day. When we retired, at night, we could not expect, and hardly dared to hope, to meet again *well*. Such, sir, has been the cholera in Lexington.

"I said our city authorities had disappeared. This is true of them as a body. The mayor and col. Combs have been active. But individuals have generously, and I may add, with a godlike zeal, devoted themselves to *doing good*, and to the mitigation of suffering. First and foremost, on this list, is bishop Smith, of the Episcopal church, who, in body, is but the skeleton of a man, but in heart and soul, a *giant* in every good word and work. His whole time, day and night, rain and shine, has been devoted to the consolation of the dying, or the funeral services of the dead. From early dawn to midnight he has been constantly on his feet, or on his knees; and to me, it seems a miracle, that he is still on duty, as bright as ever! What *other* clergymen here have done—I have not heard. David Sayre, too, has devoted himself, body and soul, and purse, to the alleviation of misery, and deserves from the friends of humanity a brighter meed, than ever graced the brow of a monarch. Many others have followed his example. Several gentlemen too in the country have contributed generously to our relief, by sending in and distributing, gratuitously, beef and other necessaries. Among these I need not name the patriot farmer of Ashland.

"But we trust, that the agony is nearly over. The cloud of pestilence, which has so long brooded over our city and burst upon it with all its fury, is beginning to recede. Only 10 or 12 deaths last night, and but few new cases. The weather is now fine, and we cannot but hope, that Providence, in his infinite mercy, will say to the torrent of desolation which has been deluging our city—*thus far and no farther*. But Lexington has received a shock, from which it cannot speedily recover."

## WYOMING MASSACRE.

*Correspondence of the United States Gazette.*

*New Troy, Pa. June 5, 1833.*

This little village was yesterday made the scene of an exhibition of most unusual and thrilling interest. The remains of those who were sacrificed at the Wyoming massacre on the 3d of July, 1778, were disinterred preparatory to the erection of a monument commemorative to that disastrous event. On the beautiful plain where now stands the cheerful village of New Troy on the west bank of the Susquehanna, and a short distance above Wilkesbarre, was recently discovered the sepulchre where the dead had been hastily interred by the surviving settlers. The bodies had evidently been promiscuously thrown into one common grave, and as no stone had been placed to mark the spot, it had long since been lost sight of. Different individuals residing in the neighborhood, some of whom were children of the sufferers, had made repeated attempts to discover the grave, but the progress of cultivation had so effectually obliterated all traces, that every search had heretofore proved fruitless. The grave is situated in a lot adjoining the road and is slightly elevated above the surrounding country. The Susquehanna is within a short distance and adds to the picturesque beauty of the scenery, which from every point of view possesses uncommon interest. About twelve hundred dollars had been already subscribed towards defraying the expense of a monument. The workmen are now engaged in preparing a vault in which the remains are to be deposited, and it is expected that the monument will be erected on the 3d of the ensuing month, it being the anniversary of the battle.

The remains are now lying in boxes placed in an adjoining building under the care of a neighbor, Erastus Hill, and are certainly objects of great curiosity as well as interest. Eighty skulls are displayed to the contemplation of the spectator and the light of day, after having for more than half a century reposed beneath the soil on which the merciless savage left their slaughtered bodies. The limbs and skulls are variously marked. Some bones are perforated by balls, and the skulls almost invariably broken by the tomahawk; in some cases the pole of that instrument has apparently alone performed the work of death, while in others the edge has cleft through the skull in a manner that shows the enemy to have been proficient in the use of his weapon. In every instance the marks of the scalping knife are distinctly visible. On removing one particular skull, a bullet was found, almost imbeded in the bone, a little above the left ear and back of the temple. The lead is partially divided, apparently battered, by the force of the concussion, and at this moment is preserved in its original position from which it is removed without difficulty for the inspection of the curious.

Among the relics was found small portions of a garment, made of wool, on which the color, a "bottle" green, is distinctly visible.

## DREADFUL SLAUGHTER—SUMATRA.

The Singapore Chronicle of the 12th of December, contains the following account of the assassinating of no less than three thousand Dutch troops and natives of the interior of Sumatra, whither, it appears, they had penetrated with the view of making reprisals upon the native princes:

"Intelligence of much importance has reached this settlement from Siac; relative to the Dutch expedition, which we mentioned on the authority of some native traders lately arrived from Campar, as having reached Gunong Berapi in the Menamkebu country. The intelligence we allude to is of such a nature, and involves statements of such disastrous occurrences, that, on being made acquainted with it, we deemed it highly necessary to make minute inquiries as to its truth or probability, before we gave publicity to it. The result of our investigation among the several Siac people who arrived during the week, is such as to leave little doubt on our minds, of the entire probability of the statements. Our principal informant, on whose account reliance can be placed most, is the naquodah of a Siac prow, and son of one of the rajah of Siac's chief men. This person states, previous to his leaving Siac, some 10 or 15 days ago, a confidential person arrived there from Menanghebu, (a distance of about 15 days journey overland, according to some, and 10 or 12 days only, according to others) who informed the rajah in the presence of this naquodah, that the Dutch troops had been cut off by an immense number of the natives, who assembled at night and slaughtered them in a desperate *amuk*. The troops are said to have been stationed at three different places, Paya, Komboh and Along Pangang, in the divisions of Agam and Rown beyond Guong Berapi. It is stated that the Dutch, having gained over the rajah of Pageruyong as an auxiliary, came into easy possession of most parts of the country; for through the influence of this rajah, the natives submitted to the Dutch, and allowed them to proceed so far inland as they did with little or no opposition. It appears, however, that the Dutch too confident of their political strength, abused the power so easily obtained, and treated the natives with such severity and oppression, by raising levies and contributions, that the latter became desperate, and having formed an extensive combination, attacked the troops at the three places above named, simultaneously, (in order to prevent a junction) and slaughtered them with their native weapons, it is believed, to a man. The number of their victims, we are told was not less than three thousand."

## ACCELERATED MOVEMENT UPON CANALS.

On Saturday afternoon a trial was made, upon the Paddington canal, of the new canal boat. The object of the trial was, to show that a boat built in a different form, and constructed of other materials than the ordinary canal boat, might, by using superior horses, be drawn along the water at the rate of ten miles or more in an hour, instead of two miles an hour, the pace of the boats now in use. The day was remarkably fine. The portion of the canal more particularly appropriated to the experiment was from the third to the seventh mile from Paddington. The boat was constructed of sheet iron, rivetted hot. It was 70 feet long, by 5½ feet wide, and painted green and white. The boat was provided with an awning made of white twilled cotton cloth, which had been rendered semi-transparent with oil. The awning was so set up that the top was extended over light wooden arches, which rested upon a thin upright frame of rod iron; and the sides, in the form of curtains, were made to slide at pleasure upon parallel rods placed at the upper and lower ends of the curtains. The rudder was of a single sheet of iron, of about a yard in length, and it was moved by a tiller made of about two yards of stout rod iron. Two steady hunting horses, each mounted by a lad, and the two harnessed to a towing rope of about 150 feet in length, constituted the moving power. The number of persons on board the boat was 48, including the crew, the gentlemen making the experiment, some of the principal members of the Grand Junction company, and the visiters, amongst whom were Mr. Telford, Mr. Babbage, captain Bazil Hall, Mr. Hellyer and Mr. Gill; a lady also made one of the party on this interesting occasion. Certain distances were measured on the canal bank, and marks set up at the ends of them. At each of these places, also, a man was stationed with a guaged rod in his hand, which he so held as that, upon the boat's passing, he might instantly read off the height of the wave caused by the disturbance of the water. When all things were ready on the shore, and the party had embarked, the boat was put in motion. The speed from one station to another, taken by seconds watches, showed, for some time, a progress at the rate of thirteen miles an hour. The horses, however, soon began to tire, and the speed fell to eleven, and ultimately, in returning for the third time, to ten and a quarter miles in the hour.

The experiment, as far as it goes, was attended with complete success. The motion is the easiest imaginable. The boat glides along the water so smoothly and noiselessly, that its progress is all but imperceptible to those on board whose attention is not extended to external objects. A relay of horses will be required

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at the end of every four or five miles. The banks of the canal will have to be edged for nine or ten inches above the ordinary level of the water with hard materials, and the towing path to be slightly sloped outwards. Improvements, no doubt, will also be made to facilitate the passing of locks, and in the mode of attaching the horses to the boat, so that the animals may exert their power upon the boat, disembarrassed of the awkwardness of the direction in which, under the present form of towing, they are made to put forth their strength. [*London Albion.*

## SOUTH CAROLINA RAIL ROAD.

The Charleston Patriot of the 13th ult. contains a report of the financial affairs of the South Carolina rail road company, including a general statement of all the receipts and expenditures of the company since its organization, classed under their several heads. We gather from it the following particulars:

All the means of the company, including capital stock, loans and receipts for tolls, &c. have amounted to $831,499 92, and the expenditures of all kinds to $831,365 87. This sum includes the cost of all the locomotive engines (seven in number), forty-six passenger cars, and all the tenders, freight cars, &c. used on the road, negroes, horses, &c.—amounting altogether to nearly $100,000. To finish the contracts and complete the road finally, with all the engines and cars estimated to be necessary, a further sum of $73,044 08 is required; giving the sum of $904,410 07 as the gross cost of the road and all the appurtenances and contingencies. The round sum of $800,000 is for the actual cost for the construction of the road and the materials. It exceeds the highest estimated cost at the commencement of the work—the first estimate being $405,000 and the second $687,000. The excess is accounted for by the adoption of a more expensive style of work than was at first contemplated.

The current expenses of the company, for a chief engineer, commissioner, resident engineer, and two assistant residents, woodmen, &c.—is $14,340 per annum. With the exception of a superintendent, this expense will cease within the next two months.

The report proposes an increase of the capital stock of the company to $1,000,000, with a view of extinguishing all existing debts for loans, &c. and providing the funds for completing the work. Four new locomotive engines have been ordered from England, and *three* contracted for in Charleston, making a force of *fourteen* locomotive engines already in operation or in preparation. The report recommends a further increase of this power to the extent of ordering two engines monthly, until they amount to a number to be decided on in the meeting of stockholders.

A statement is made, by way of appendix, of the amount of business calculated upon, and the force necessary to transport it. The amount of cotton received at Hamburgh and Augusta, each year, is from 160,000 to 180,000 bales, of which from one-fourth to one-fifth is now transported to Charleston by the river and coastwise—a circuitous and tedious route. The committee think that at least *three-fourths* will pass by the rail road, but they take as a moderate estimate only one-half, or 85,000 bales, 27,200,000 lbs.—the freight of which would amount to $128,520. The return freight being taken at an equal amount, and the income from passengers at $202,500—the aggregate income for the year is assumed to be very low at $449,540. Large allowances are then made for locomotive power, cost of conveyance, wear and tear, and interest, repairs, agencies, &c. and the whole expenses are put down at $167,400. The net annual income is thus stated at $295,140, or upwards of *twenty nine* per cent. on a capital of $1,000,000. Various other estimates and allowances are made, but the smallest possible income—on the supposition that the business fall short one-third—is put at *fourteen per cent.* The prospects of the road are thus considered highly favorable. It is a valuable monument of southern enterprise and perseverance. [*Balt. Am.*

## UNITED STATES DRY DOCKS.

*From the United States Gazette.*

MR. CHANDLER—At this juncture it may be interesting to your readers, to peruse a correct and minute account of the great *granite dry dock*, at *Gosport*, which last week received within its bosom, the *Delaware* ship of the line. This magnificent national work, corresponds in every respect with the dry dock at Charlestown, Mass. which is about to embrace old Ironsides, the successful battle ship in the late war.

A trip to Norfolk in the spring of the last year, afforded the writer many an interesting excursion across Elizabeth river to the navy yard, to witness the progress of improvements at this extensive naval depot. The most novel, expensive and important undertaking, was the dry dock, then nearly completed, and built as well as the one eastward, under the superintendence of our countryman, Col. Baldwin, architect and engineer.

The cost of this stupendous work, at Gosport, was estimated at about 7 to 800,000 dollars.

It is worth millions to the naval service of the country.

*United States dry dock at the Norfolk station.*

The excavation for the dry dock was finished at the depth of about 34 feet below ordinary high water.

The foundation of the dock is formed of piles driven into hard stiff blue clay, at the distance of three feet from each other from centre to centre. More than 4,000 of these piles were driven. They vary in length from 15 to 30 feet, and were driven with rams weighing about 2,000 lbs. each, falling from a height of 25 or 30 feet. The piles are capped with timbers of a foot square, and laid in a direction at right angles to the axis of the dock. The spaces between the caps are filled with stones, and the whole is levelled to receive the first floor, which is of plank, and is three inches thick. On this floor, and directly over the caps of the piles, are laid timbers sixteen inches by twelve, the spaces between which are filled with brick laid in cement. Upon this, the second plank floor is laid similar to the first. This floor is about 341 feet in length and 100 in breadth, and upon it rests the masonry of the dock. The stone work of the dock rises to the height of 36 feet above the plank floor, and 5 feet above high water mark. The mouth or entrance of the dock is 60 feet in width, and at high tides, will admit a man-of-war or line of battle-ship drawing 25 feet of water. The stone floor here is 6 feet thick, and is composed of 3 courses of hammered stone. The chamber of the dock, or that part in which the ship rests, is 228 feet long at the bottom and 249 feet at top, and is 30 feet wide at bottom and 86 at top. The sides and upper end of the chamber are formed of sets of altars as steps, which, as they rise, recede from the centre of the dock, thus forming level walks around the chamber for the convenience of workmen and for placing shores to support the ship. The stone floor of the chamber is an inclined plane, and the masonry is 4 feet thick at the lower, and 5 feet 3 inches at the upper end, sloping 15 inches in a distance of 206 feet, and is composed of two courses of hammered stone.

The gates of the dock which secure and close the entrance, consist of a pair of turning gates, made in a manner similar to the gates of canal locks, and a floating gate or boat which last will be placed near the entrance. The boat when placed, will present a broad side to the river, and the keel will be formed so as to fit exactly a groove cut in the bottom and sides of the inverted arch, which forms the entrance. The turning gates are placed in recesses between the floating gate and the chamber of the dock. Each gate is supported by a pintle and two rollers, which move upon iron rails laid in the stone floor of the recess. Each gate is computed to weigh from 50 to 60 tons. To move the immense weight, two capstans with gearing, are placed on each side of the dock, within the masonry, with chains attached to the gates to open or shut them at pleasure. The mitre sill or that part of the stone flooring against which the gates shut, is composed of blocks of stone, weighing from 5 to 12 tons each. To drain off the water from the dock, there are culverts formed on each side commencing at the lower part of the chamber, and terminating in a large reservoir built in the masonry across the head of the dock. This reservoir is a large chamber, of 7 feet in width, 11 feet high, and about 86 feet long, and by means of a tunnel, communicates with two large wells, sunk within the engine house. The tunnel is of an oval form, built of brick, laid in cement, and is 165 feet long, 4 feet high, and 2½ feet wide. In each of the great wells are placed 4 lifting pumps of 2½ feet diameter, and 30 feet long, and 4 chain pumps, with a sectional area of one square foot each. These pumps, worked by a high pressure steam engine of 120 horse power, it is thought will be sufficient to discharge all the water from the dock in about two hours.

The process for docking a ship is conducted as follows:

The reservoir, wells and tunnel are drained of their water, and the communication with the chamber cut off, by means of composition sluice gates, placed at the heads of the culverts. The great gates being open, the ship is warped into the chamber by means of capstans placed in convenient situations, when the gates are shut, and the small sluice gates opened, which discharge the water slowly into the reservoir and wells, till the ship's keel touches the blocks upon the floor of the chamber. Shores are then placed to keep the ship in an upright position, and the steam engine put in operation, which soon frees the dock from water and leaves the ship perfectly dry, when her repairs may be commenced.

When the repairs are finished, and the ship is to be taken out of the dock, the chamber must be filled with water, before the great gates can be opened. The chamber is filled by means of culverts, through which water is allowed to pass from the river. During the time the ship is in dock, these culverts remain closed by composition sluice gates. When the chamber of the dock is filled, the pressure on both sides of the great gates being the same, they may then be opened and the ship discharged. M.

## EXCURSION TO LOWELL.

*From the Salem (Mass.) Register.*

Last Thursday we took a ride to Lowell, by the direct route through Danvers, Reading, Wilmington and Tewksbury. The face of the country on this route, after leaving Danvers, is generally sandy and sterile, and affords but few objects worthy of notice. The canker worm has spread devastation over this whole tract of country, and nearly all the apple trees between Danvers and Lowell are scorched and dried up. We passed a few fields of barley, of a scanty and meagre growth, and here and there a hop yard bristling up like quills upon the fretful porcupine. One object, however, was peculiarly interesting, it was a solitary crow sitting upon a rock in the midst of a sandy cornfield, looking wistfully on the lean and sallow leaves of the young corn, just struggling above the yellow and rocky soil. The houses, and fences, and out buildings were in admirable keeping with the rest of the scenery—they are part and parcel of the same picture. Farming, indeed, along here, is considered a poor business; accordingly, whenever we got to a cluster of houses we found the inhabitants had betaken themselves to the

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manufacture of shoes, in which they are proficient, and have even rivalled their neighbors of Lynn. Now and then we passed a cluster of neat houses, painted white, and looking very prettily as they glistened through the dark masses of foliage which hung pendant from the branches of the majestic elms. We stopped at a shoemaker's shop where the road branched off, to inquire the way to Lowell, and the man, mistaking our question, and being filled with admiration at the sight of three great white meeting houses on a hill belonging to his village, and which stood in view, answered us, very readily, "one is orthodox, one is Universal, and the other is Baptist." We informed him, that he had misunderstood our question, and that we had inquired the way to Lowell, on this he pointed to the road before us, and we drove on. The road was now more and more sandy, till at last, rising a hill, we descried Lowell spreading out on all sides, half hid behind the trees, and half opening to our view, with its huge factories, its numerous church towers and its white dwelling houses. We soon came to the beautiful village called Belvidere, situated on a gentle slope of land on this side of the Concord river. This village is separated from the town of Lowell, but in fact forms a part of the settlements which have grown up with the establishment of the factories. On the right hand, beyond the Merrimack which is seen winding its way through its rocky banks, whitened with foam, we see the hills rise gently and spread around, forming the outlines of a grand amphitheatre; in the centre of which Lowell is situated. These hills have been selected for the sites of villas, and several elegant dwellings have been erected, and more are going up. A bridge has lately been thrown over Concord river, connecting Belvidere with the main body of the settlements on the other side. The Concord river meets the Merrimack at right angles, and the point of land included between the two rivers has been chosen for the site of Lowell. Here then, is a great city, teeming with an industrious population, built up within six or eight years, as if by princely power, and whose interest and prosperity are founded upon an imperishable basis; already become the second town in the commonwealth, in population and wealth, and rapidly increasing into greater importance. We shall not enumerate the factories, churches, houses, printing offices, hotels, taverns, stores, shops, &c. this has been often done, and need not be repeated.

We arrived at Lowell about noon, and put up at the American Hotel, a spacious and convenient house, fitted up in good style, and furnished with every convenience for the accommodation of travellers. We took dinner and set out on a tour of observation. We found a friend who acted as our conductor, and we were led through the factories and shewn many other things of great interest and curiosity. We continued our rambles, sometimes in the city, sometimes on the falls of the Merrimack, and then about the scenery around the Concord river, till after the evening bell rang for nine. We retired to rest at an early hour, as seemed to be uniformly the habit; and the inhabitants have good reason for doing so; for at three o'clock, the next morning, even before day light, one factory bell rang a merry peal, and as soon as the last pulsation struck upon the ear, the whirring and clanking of the machinery was heard. We looked out of the window and saw the dawn had just began to throw its grey light over the east, and right opposite a factory lighted up and all alive and in motion. At 5 o'clock the great bell rung for a general turn out, and a simultaneous movement in all the factories. The girls swarmed out from all the streets and avenues which led from their boarding houses, and directed their steps towards a single point, where they became concentrated in a dense mass, at the bridge leading to the entrance of a range of factories, standing on a line on the opposite side of a straight canal which supplies the water power to each of the factories included in the entire establishment. The canal is bordered on the side next the factories, with stores for receiving the raw cotton, and on the bank next the street with rows of elms or other ornamental trees, which are enclosed and separated from the main street by a handsome fence. At 7, the great bell rang for breakfast—the great wheels were stopped again, and all became silent; the girls, men and boys poured forth from the gates, and crossing the bridge, diverged and radiated off towards the boarding houses. In half an hour the great bell is again heard, the wheels commence their gyrations, the streets are again full of people. The same ceremonies and the same appearances take place at the dinner hour, which is half past twelve, and at half past one the bells ring again, and the afternoon operations commence. The wheels go round, the spindles twirl, the looms jerk in the thread so quick that the eye can only catch a glance of them as they dart through the warps, while the tissue is plainly perceived growing and winding itself up on the cylinders. We took a glance at the whole establishment of a cotton mill, from the opening of a bale of raw cotton to its being drawn out into a thread, and from that to its warping, sizing, weaving, folding, packing, and finally its loading and carrying in wagons drawn by six stout horses, through the heavy sands on the Tewksbury road, down to Boston.

The ringing of the great bell at Lowell, either at three or five o'clock in the morning is certainly to some purpose. It is no play-thing to call idlers from their beds, or to disturb those who had better be abed and asleep. How silly it is for people to be talking of morning walks, and boasting of taking exercise before breakfast, and then coming home tired out, and scarcely able to worry through the tedious day. There is no such fancy as this at Lowell. It is quite another thing to hear the great bell ring there. It starts up from their beds ten thousand people in the prime of life, in the full enjoyment of health, ready and able to handle and direct the rolling and twirling and twisting and thumping which is going on every where around on the right and on the left, before and behind. There does not appear, however, any unreasonable duty imposed upon any individual. All are at liberty to come and go whenever they please. The girls come to Lowell when, and stay as long as it pleases them; and as they work by the piece, or job, the prices for which are placarded upon the doors of all the factories, the attendance is voluntary, and the wish to earn the utmost in the shortest time, induces them to a close application to business. They come from all quarters of the country, and the stage coaches, drawn by six horses, are continually occupied in bringing in and carrying out loads of well dressed, rosy country girls. We noticed groups of these factory girls, as they were in attendance upon the looms and spinning frames. They were in the freshness and bloom of life, generally of about 20 years of age. Sometimes, when half a dozen in a neighborhood had put their looms in order, they would leave them to their own exact and rapid motions, and assemble in little squads at some favorite place of resort, where there was a looking glass, at which they arranged their curls or adjusted their combs, tattled all the gossip, and found out who was who, and what was what. This is their business for the day; but after tea, which they take at 7 o'clock, they dress up for the evening, and the well lighted streets and the brilliantly illuminated stores were full of them. There was not a dry goods store nor a milliner's shop in which there were not to be seen groups of these fair purchasers. The workmen of the various factories, the builders, masons, carpenters, &c. of which Lowell is full, were also on the go. The hotels were filled or thronged about the piazzas, and in two places we observed auctioneers mounted on a stand and bawling as usual, while their ivory balls were flourishing about and glancing in the rays of the torch ligh, as the presiding genius of the gaping crowd. All, however, was every where orderly and respectful. There was no noise, no rudeness, no assembling at the corners, no justling—nor did we see any constables stalking to and fro with their poles, to keep the peace. At the ringing of the 9 o'clock bell the multitude retired from the streets. We ought not to forget, that as we walked about the place, we noticed the refinements of social life, in listening to the piano, accompanied by the flute, and were quite delighted at the high degree of taste and execution of two amateur performers. We inquired of one of the crowd of listeners, and were informed that the performers were some of the head workmen of one of the factories. Indeed we found that music was a favorite amusement, and a taste for that elegant accomplishment is established in the place. We saw in a church, spacious and beautifully finished within, a large and elegant organ, lately built by those excellent organ builders, the Messrs. Hook, of Boston, remarkable for the richness of its open diapason, and the majestic power of its sub bass. The church and organ cost the proprietors 28,000 dollars. We believe there are not less than fifteen churches in Lowell, all of modern architecture, and most of them built either of brick or stone, several of which are furnished with organs.

But, after all, it is not so much what Lowell is, as what it is inevitably destined to become—a city, second to none in the State for population and importance. The immense extent of the factories already established, and the magnificent works now in the progress of erection, will lay a foundation for the industry and prosperity of a population of one hundred thousand souls. There is already a theatre in building, of wood, very spacious, and will contain an auditory not less than can be accommodated in the Tremont itself. Among the conveniences of the place, we visited a bathing house, fitted up with much taste and elegance. It contains apartments for ladies in one division, and for gentlemen in another. The rooms were carpeted and furnished with chairs, tables, glasses, and all the accompaniments of the tulletta. Below the bathing rooms there are apartments for bathing in the river, and one spacious enclosure, in which there is a basin four feet in depth, calculated for swimmers.

We saw the carpet establishment, where they were weaving Kidderminster and Brussels carpeting, rugs, &c. This is done by complicate looms not easily described. There appeared to be about twenty looms at work, each one having a different pattern, which comes out without the care or thought of the operator. The Brussels carpeting was woven in the loom altogether different from the Kidderminster, and required the aid of a boy to move some of the machinery. The operation is slow and tedious, and requires great care. The hearth rugs were of two kinds, one having on it some fanciful figures, and the other with a thick nap of variegated colors.

Buildings were going up all over the immense extent of ground on which Lowell stands, or is to stand. Buildings of all descriptions of stone, brick and wood, were ascending, and some most extensive factories, with all their accompaniments of dwellings and out-houses, were erecting in that quarter of the town bordering on the Merrimack, towards the falls. There is one very large and beautiful brick factory near the outlet of Concord river, seven or eight stories high, just finished, but not yet in operation, designed for the manufacture of broadcloths.

The great number of stores is quite surprising. They stand in rows in all the principal streets, and are of every description—dry goods stores, apothecaries, furniture warehouses, shoe stores, milliners, tailors, groceries, confectioners, &c. &c. They are spacious and beautiful, particularly those under the new Unitarian church. These have no windows, either bow windows or any other. The entire front is thrown open, and the

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whole interior of the shop displayed to the passengers as they proceed along the brick side walks.

We walked over the back part of the city, (as we cannot help calling it) to look at the Herculean labors of a gang of men, cutting a deep excavation through a solid mass of granite, to make an opening for the entrance of the railway which is now building between this place and the capital. They have a pretty tough job in hand. It is no less than to cut through a solid rock about forty feet in depth, and for the distance, at a guess, of one-fifth of a mile. Upon mounting to the top of the smooth bald head of the granite mass, we saw beyond, in the line of the road, another gang of men, working their way in an opposite direction, to meet those at this end. As many teams were kept employed, carting and dragging away the fragments of rock, as could get at the foot of the excavation, and as many groups of men as could stand to work, some drilling, some tumbling down the loose fragments of the rock, some loading, and some goading the oxen away with their loads. Ever and anon, the workmen would clear out and hide themselves behind trees or among the rocks, when an explosion would take place, and the whole air would be filled with smoke and stones and great rocks flying out in all directions. Then all the gang would return and resume their work again.

## LOWELL COTTON AND WOOLLEN GOODS.

A late number of the Lowell Journal has the following interesting article:

The whole amount of capital at present invested is 6,150,000 dollars. The number of large mills in actual operation is 19. These mills are each about 157 feet in length and 45 feet in breadth—of brick, five stories high, each averaging from ten to thirteen feet high, thus giving opportunity for a free circulation of air. The aggregate number of spindles used is 84,000—looms 3,000. The whole number of operatives employed is about 5,000, of which 1,200 are males, 3,800 are females. The quantity of raw cotton used in these mills per annum, exceeds 7,000,000 lbs. or 20,000 bales. The number of yards of cotton goods of various qualities manufactured annually is about 27,000,000. Were the different peices united, they would reach to the distance of 15,300 miles! In this estimate is included about 2,000,000 of yards of coarse mixed cotton and woollen negro clothing, in the manufacture of which about 80,000 pounds of wool are used per annum.

The quantity of wool manufactured annually into cassimeres is about 150,000 lbs. making about 150,000 yards.

The Lowell carpet manufactory is in itself a curiosity—68 looms are kept in operation by hand labor, viz: 50 for ingrained or Kidderminster carpeting, 10 for Brussels, and 8 for rugs of various kinds. 140,000 lbs. of wool in the course of a year, are manufactured into rich and beautiful carpets, the colors of which will vie with any imported. The number of yards of carpeting made per annum is upwards of 120,000, besides rugs. The operatives at present employed in all these mills receive for their labor about $1,200,000 per annum.

The Lawrence company has now but one mill in operation. One other is erected, and will be in operation in about three months. The foundation of two others are laid which will be ready to go into operation, one in 9 months, the other in 12. These mills will contain about 16,500 additional spindles for cotton, and 550 looms, and will use 2,500,000 lbs. of raw cotton annually, furnishing employment for 700 operatives. These three mills will probably be the means of adding at least 1,500 to the population of Lowell.

The Middlesex company has lately erected another mill for the manufacture of cassimeres and broadcloths, which is said to be one of the first manufacturing edifices in the U. States. It is 153 feet in length, by 46, and six stories high. Nearly 1,000,000 of bricks have been used in its construction. It will go into operation in about two months, and will contain 2,880 spindles, and 64 looms for cassimeres, and 40 for broadcloths. It will work up about 300,000 pounds of wool annually, and employ about 225 operatives.

The edifice, in which all the machinery employed in the mills is manufactured, is termed the "machine shop," belonging to the locks and canal company, and is probably the largest "shop" in the country, being built of brick, four stories high, 220 feet in length and 45 feet in width. About 200 machinists, some of them the most skilful and ingenious workmen in the United States, or in the world, are constantly employed. About 600 tons of cast and wrought iron, two-thirds of which at least are of American production, are annually converted into machinery, besides a large quantity of imported steel.

It is computed that upwards of 5,000 tons of anthracite coal are annually consumed in the Lowell manufacturing establishments and machine shop, besides immense quantities of charcoal and pine and hard wood fuel.

## THE PRESIDENT—AT BUNKER'S HILL.

Address of Mr. Edward Everett, to the president of the United States, on Bunker Hill, with the president's reply.

*Mr. President:* I have been directed, by the committee of arrangements, on behalf of themselves, of their fellow citizens and of the vast multitude here assembled, to bid you welcome to the ancient town of Charlestown, and its famous heights.

The inhabitants of a small and frugal community, we cannot, like our brethren of the metropolis and of the other great cities, through which you have passed, receive you in splendid mansions and halls of state; but here, sir, upon the precious soil once moistened with the best blood of New England; with nothing above us but the arch of heaven, we tender you the united, respectful and cordial salutations of our ancient town.

There are many interesting historical recollections connected with this immediate neighborhood, which I will not take up your time in recounting. I will only say that on yonder gentle elevation, the first company of the settlers of this commonwealth, a little more than two centuries ago, laid the foundations of the ancient colony of Massachusetts: and upon the hill on which we are now assembled—upon the very spot on which we stand—on the 17th of June, 1775—beneath the thunder of the batteries from the opposite heights of Boston, from the vessels of war on the bay beneath us, and from the head of the columns of the advancing army of five thousand chosen British troops—while the entire town of Charlestown was wrapped in flames, and every steeple, roof and hill top of the surrounding country was crowded with anxious spectators of the dreadful drama—Prescott, Putnam, Stark and their gallant associates bravely fought, and Warren, with his heroic comrades, nobly fell, in the cause of American independence. You, Mr. Secretary Cass, may well cherish the memory of that day, for your father bore his share in its perils and its glory. Stark's regiment, where he fought, was stationed not very far from the spot where you stand.

We bid you, Mr. President, who like those our fathers, have exposed your life in the cause of your country, and more favored than they, have been permitted to enjoy the fruit of your toils and danger—we bid you welcome to the precious spot. Most of those who have preceded you in the chief magistracy—Washington, Adams, Monroe and your immediate predecessor, have trod it before you—and but a few years since, the nation's guest, the great and good Lafayette, made his pilgrimage also to the same venerable precincts. To you, sir, who, under Providence, conducted the banners of the country to victory, in the *last* great struggle of the American arms, it must be peculiarly grateful to stand upon the spot immortalized as the scene of the *first* momentous conflict.

We have thought it might not be unwelcome to you to possess some joint memorial of these two aventful days, and such a one I now hold in my hands—a grape shot dug up from the sod beneath our feet, and a cannon ball from the battle field of New Orleans, brought from the enclosure within which your head quarters were established. They are preserved in one casket: and on behalf of the citizens of Charlestown, I now present them to you, in the hope that they will perpetuate in your mind an acceptable association of the 17th of June, 1775, and the 8th of January, 1815—the dates of the first and last great battles fought under the American standard.

To designate in all coming time, the place of the first of these eventful contests, the gratitude of this generation is rearing a majestic monument on the sacred spot. We invite you, sir, to ascend it, and to behold from its elevation a lovely scene of town and country—a specimen not unfavorable of this portion of the great republic, whose interests have been confided to your care, as chief magistrate of the United States. We rejoice that you have taken an opportunity of acquiring a personal knowledge of its character. Less fertile than some other portions of the union, its wealth is in its population, its institutions, its pursuits—its schools and its churches. We doubt not you will find, in your extensive journey, that the great springs of its prosperity are in harmony with the interests and welfare of every other part of our common country.

The spot on which we are gathered is not the place for adulation. Standing over the ashes of men who died for liberty, we can speak no language but that of freemen. In an address to the chief magistrate of the United States, there is no room for one word of compliment or flattery. But with grateful remembrance of your services to the country—with becoming respect for your station, the most exalted on earth—and with UNANIMOUS approbation of the firm, resolute and patriotic stand which you assumed, in the late alarming crisis of affairs, in order to preserve that happy union under one constitutional head—for the establishment of which these streets were wrapped in fire, and this hill was drenched in blood—with one heart and one voice we bid you welcome to BUNKER HILL.

To the foregoing address the president made the following reply:

*Sir:* For the kind reception you have given me, in behalf of the citizens of Charlestown, and for the friendly sentiments expressed on this occasion, I return you my sincere thanks.

It is one of the most gratifying incidents of my life to meet my fellow citizens upon Bunker Hill, at the base of that monument which their patriotism is erecting; and upon the sacred spot hallowed by so many interesting recollections—a rich spot in the various national objects which it presents to view; and richer still in the associations, moral and historical which belong to it.

The earlier incidents of the revolution—the high toned patriotic declarations—the stern determination to meet the coming events, and the vigorous preparations to resist them successfully—the great battle which opened the revolutionary contest, whose full results upon human institutions are yet to be disclosed, and in which, if your sacred mount was lost, and if your devoted town was consumed, imperishable glory was acquired—the services, the sacrifices and the sufferings of this generous and enlightened state, and the memory of the renowned men she has furnished for the field and the cabinet; all these recol-

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lections crowd upon the mind, and render this one of the high places, where the American citizen will ever repair, to contemplate the past and indulge in the anticipation of the future.

And when to all these are added your moral, social, literary and religious institutions—your happy equality of condition—your charitable establishments—your foundations for education—the general diffusion of knowledge—your industry and enterprise—and when we reflect that most of this is common to the New England states, you may well be proud of your native land, and our country may well be proud of New England.

I have seen much to admire and emulate—nothing to excite regret; and if my journey be attended with no other result to myself, I shall feel amply repaid by witnessing this fair prospect of human comfort; and by finding, that, however high I had rated the moral and intellectual character of the eastern portion of the union, I had yet to learn that I had not done it justice. I do not speak of the personal kindness I have met with: I cannot. But the impression is on my heart; it will only leave me when life departs.

I accept, with gratitude, the interesting relics you have presented to me. I am sure I speak the sentiments of my fellow soldiers upon the plains of New Orleans, when I say, that to be associated with the memory of that band of patriots, who fought with Warren, when he sealed his principles with his life, is the highest meed of praise which our country could bestow. I am sensible that we owe it to a too partial estimate of our services. It was my good fortune, on that eventful day, to lead an army composed of American citizens, appreciating the value of the prize they contended for, and determined upon exertions proportioned to its magnitude; and it was theirs to expel a superior force, and to preserve an important section of the union.

Accept, sir, for yourself, my acknowledgments for your personal kindness.

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The following inscription was engraved on a silver plate on the box containing the cannon balls, presented to president Jackson, at Bunker Hill, on Wednesday:

"These now harmless memorials of the 17th June, 1775, and the 8th of January, 1815, were presented to general Andrew Jackson, president of the United States, by the citizens of Charlestown, on the 24th June, 1833, on his visit to Bunker Hill."

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THE PRESIDENT AT LOWELL.

*Boston, June 29.* A gentleman of this city, who was at Lowell on Thursday, states that the parade in honor of the president's arrival, exceeded all anticipation. The president approached the place about 3 o'clock. The military escort was composed of a company of artillery, a company of riflemen, several companies of light infantry, and a procession of young females employed in the factories. The number of women in this procession was from three to four thousand. All were neatly dressed in white, with sashes of different colors to designate the different manufacturing establishments, to which each respectively belonged. They were formed four deep. The length of the procession gave occasion to a spectator to remark that there was a *mile of girls.* After the president and suite had arrived at the Merrimack hotel, the whole procession passed in review before him.

The manufacturing works had all been suspended during the day, and, at the request of the president, one of the mills was put in operation, that he might witness the ingenuity of the machinery, and the immense power of the water-wheels. He appeared to be much engaged, and made such inquiries as evinced that he felt a deep interest in the establishments and the progress of our manufactures. He afterwards attended a public dinner at the Merrimack hotel, where it was his intention to pass the night and proceed to Concord, N. H. the next day. He appeared to be in better health than for several days previous.

We are unwilling to let this account pass from our hands, without a few words of comment. What sentiments the scene inspired in the minds of the president and the gentlemen high in office and expectation, who attended him, we know not; but we hope that the evidences of personal, as well as national prosperity—of a high standard of moral and intellectual, as well as pecuniary independence—there exhibited, were not lost, nor the reflections to which such an exhibition would naturally lead, like water thrown upon the ground, which cannot be gathered up again. There were from three to four thousand females in the procession—probably every one of them under thirty years of age. Not the oppressed, miserable, half starved females of an European manufacturing city, but well educated, well dressed females, perfectly independent of any control from the proprietors, at liberty to return to their work when the festival should close, or to leave it and seek any other employment that may produce more money, or please the fancy better. Is such a population to be trifled with by the legislators and rulers of this country? Does not the spectacle present, in a delightful aspect, the operation and effect of our truly republican institutions? These females are not destined, like those of Europe, who labor for a subsistence, to labor forever in the same capacity. They are to be the wives of virtuous, high minded, independent citizens—the mothers of our future law-givers, our legislators, our judges, our presidents, our instructors and our protectors. And, with this view, what should be the policy of our government? Clearly to give permanence and stability to whatever system of political economy will raise the price of labor, and augment the value and quantity of agricultural and manufacturing products. The pitiful consideration of a cent in the price of a yard of cloth should never enter into competition, in the minds of enlightened statesmen, with the welfare and prosperity, the industry and the independence of the laboring classes.

The governor's aids, who attended the president to the line between this state and New Hampshire, returned last evening, having left him in tolerable health and excellent spirits. [*Courier.*

The Daily Advertiser says—The president seemed much interested with what he saw and heard, [at Lowell] and made many inquiries respecting the number of people employed, their average wages, the amount of cotton worked up daily, of cloth turned out, &c. showing by his remarks that the subject of domestic manufactures had previously engaged his attentive observation. In order to show more distinctly the effect produced by the introduction of the power loom and extension of the cotton business for the last twenty years, a gentleman exhibited to him a piece of British cotton shirting, bought at a marshal's sale of prize goods in the autumn of 1813, at *eighty-five* cents per yard, cash, (Boston money or specie) and also a piece of American manufacture, of superior fabric, which now sells for *fourteen* cents per yard, which is considerably less than *one-half* what he then paid for the bare weaving of the same article by hand. The president examined the fabrics attentively, and satisfied himself as to the comparative qualities of the two pieces. At his desire, (all the works having been suspended in consequence of his visit) one of the Merrimack mills was put in operation. He visited the mill and the print works, and carefully examined the machinery and the process of manufacturing.

During his visit to the Merrimack mills and print works, the apparatus for extinguishing fires (which is probably more effective than any other similar establishment in the country) was put in motion, and the immense power of the water wheels to which they were attached was truly astonishing, covering the different buildings with water in a few minutes, by various pipes manned by the different engineers.

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For the following "*killing*" remark we are indebted to the Boston Advocate, speaking of the shew of girls at Lowell—

"Such a regiment of beautiful soldiers was never before seen on parade, and though they carried light *arms,* and no artillery but their eyes, they presented a more *killing* force than ever Bonaparte mustered."

## MR. WEBSTER AT BUFFALO.

On his recent visit to Buffalo, Mr. Webster was invited by the citizens of that place to attend a public dinner, which his engagements, and the necessity of an early departure, compelled him to decline. He accepted, however, an invitation to be present at the launching of a steamboat, to which the proprietors had given the name of Daniel Webster, and in reply to an address of one of them, made the following remarks—

I avail myself gladly of this opportunity of paying my acknowledgments to the proprietors of this vessel, for the honor conferred upon me by allowing her to bear my name. Such a token of regard, had it proceeded from my immediate friends and neighbors, could not but have excited feelings of grateful respect; and it is more calculated to waken these sentiments, when coming from gentlemen of character and worth, with whom I have not had the pleasure of personal acquaintance, and whose motive, I may flatter myself, is to be found in an indulgent opinion towards well intentioned services in a public situation.

It gives me great pleasure, also, on the occasion of so large an assembly of the city of Buffalo, to express to them my thanks for the kindness and hospitality with which I have been received in this young but growing and interesting city. The launching of another vessel on these inland seas, is but a fresh occasion of congratulation on the rapid growth, the great active prosperity, and the exciting future prospects of this city. Eight years ago, fellow citizens, I enjoyed the pleasure of a short visit to this place. There was then but one steamboat on Lake Erie; it made its passage once in 10 or 15 days only; and I remember that persons in my own vicinity, intending to travel to the far west by that conveyance, wrote to friends to learn the day of the commencement of the contemplated voyage. I understand that there are now 18 steamboats plying on the lake, all finding full employment; and that a boat leaves Buffalo twice every day for Detroit and the ports in Ohio. The population of Buffalo, now four times as large as it was then, has kept pace with the augmentation of its commercial business. This fast progress is a sample, but certainly is not to be regarded as the measure, of the future advancement of the city. So many circumstances incline to favor that advancement, that it is difficult to estimate the rate by which it may hereafter proceed. It will probably not be long before the products of the fisheries of the east, the importations of the Atlantic frontier, the productions, mineral and vegetable, of all the north-western states, and the sugars of Louisiana, will find their way hither by inland water communication. Much of this indeed, has already taken place, and is of daily occurrence. Many who remember the competition between Buffalo and Black Rock, for the site of the city, will doubtless live to see the city spread over both. This singular prosperity, fellow citizens, so gratifying for the present, and accompanied with such high hopes for the future, you owe to your own industry and enterprise, your favored position, and to the

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flourishing condition of the internal commerce of the country; and the blessings and the riches of that internal commerce, be it ever remembered, are the fruits of a united government, and one general common commercial system.

It is not only the trade of New York, of Ohio, of New England, or Indiana, or Michigan, but it is a part of the great aggregate of the trade of all the states, in which you so largely and so successfully partake. Who does not see that the advantages here enjoyed, spring from a general government, and a uniform code? Who does not see, that if these states had remained severed, and each had existed with a system of imposts and commercial regulations of its own, all excluding and repelling, rather than inviting the intercourse of the rest, the place could hardly hope to have been more than a respectable frontier post? Or can any man look to the one and to the other side of this beautiful lake and river, and not see in their different conditions the plain and manifest results of different political institutions, and commercial regulations.

It would be pleasant, fellow citizens, to dwell on these topics, so worthy at all times of regard and reflection; and especially so fit to engage attention at the present moment; but this is not the proper moment to pursue them, and tendering to you once more my thanks and good wishes, I take my leave of you by expressing my hope for the continued success of that great interest so essential to your happiness—THE COMMERCE OF THE LAKES, A NEW DISCOVERED SOURCE OF NATIONAL PROSPERITY, AND A NEW BOND OF NATIONAL UNION.

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An address was also made to Mr. Webster in behalf of the mechanics and manufacturers of Buffalo, to which he returned the following reply:

I need hardly say, Mr. Chairman and gentlemen, that it gives me much satisfaction to receive this mark of approbation of my public conduct, from the manufacturers and mechanics of Buffalo. Those who are the most immediately affected by any measures of the goverment, are naturally the earliest to perceive their operation, and to foresee their final results. Allow me to say, gentlemen, that the confidence, you express in my continuance in the general course which I have pursued, must rest, and may rest safely, I trust, on the history of the past. Desiring always to avoid extremes, and to observe a prudent moderation in regard to the protective system, I yet hold steadiness and perseverance in maintaining what has been established, to be essential to the public prosperity. Nothing can be worse than that what concerns the daily labor, and the daily bread of whole classes of the people should be subject to frequent and violent changes. It were far better not to move at all than to move forward and then fall back again.

My sentiments, gentlemen, on the tariff question, are generally known. In my opinion, a just and a leading object in the whole system is the encouragement and protection of American manual labor. I confess, that every day's experience convinces me more and more of the high propriety of regarding this object. Our government is made for all, not for a few. Its object is, to promote the greatest good of the whole; and this ought to be kept constantly in view in its administration. The far greater number of those who maintain the government belong to what may be called the industrious or productive classes of the community. With us labor is not depressed, ignorant and unintelligent. On the contrary, it is active, spirited, enterprising, seeking its own rewards, and laying up for its own competence and its own support. The motive to labor, is the great stimulus to our whole society; and no system is wise or just, which does not afford this stimulus, as far as it may. The protection of American labor against the injurious competition of foreign labor, so far at least as respects general handicraft productions, is known historically to have been one end designed to be obtained by establishing the constitution; and this object and the constitutional power to accomplish it, ought never to be surrendered or compromised in any degree.

Our political institutions, gentlemen, place power in the hands of all the people; and to make the exercise of this power, in such hands, salutary, it is indispensable that all the people should enjoy, first, the means of education, and second, the reasonable certainty of procuring a competent livelihood by industry and labor. These institutions are neither designed for nor suited to a nation of ignorant paupers. To disseminate knowledge, then, universally, and to secure to labor and industry their just rewards, is the duty both of the general and state governments, each in the exercise of its appropriate powers. To be free, the people must be intelligently free; to be substantially independent, they must be able to secure themselves against want, by sobriety and industry; to be safe depositories of political power, they must be able to comprehend and understand the general interests of the community, and must have a stake themselves, in the welfare of that community. The interest of labor, therefore, has an importance in our system, beyond what belongs to it as a mere question of political economy. It is connected with our forms of government, and our whole social system. The activity and prosperity, which at present prevail among us, as every one must notice, are produced by the excitement of compensating prices to labor; and it is fervently to be hoped that no unpropitious circumstances, and no unwise policy may counteract this efficient cause of general competency and public happiness.

I pray you, Mr. Chairman and gentlemen, to receive, personally, my thanks for the manner in which you have communicated the sentiments of the meeting which you represent.

IN OHIO.

*Cincinnati, (Ohio), June* 17. On Saturday afternoon a meeting took place at the exchange, for the purpose of making such arrangements as should be deemed proper, to express the sense of this community in relation to the public and patriotic services of the honorable *Daniel Webster*, who is now on a visit to this city, when *Morgan Neville*, esq. was called to the chair, and *Bellamy Storer* appointed secretary. After some appropriate and pertinent remarks from *Robert T. Lytle*, esq. the following resolutions were submitted by him, and unanimously adopted by the meeting:

*Resolved*, That it is a source of much gratification to the citizens of Cincinnati, to learn of the arrival in this city of the honorable DANIEL WEBSTER, upon his first visit to the western country; that the high qualifications, long and eminent public services, and well directed industry of that gentleman, in his private and public career, for the advancement and prosperity of our common country, entitle him to the respect and admiration of his fellow citizens.

*Resolved*, That as friends of the union, we appreciate, with gratitude, his efficient and zealous co-operation, during the last session of congress, in explaining and sustaining the principles of the federal constitution; and the devotion which he displayed for the stability of the union, and the perpetuity of our free institutions.

*Resolved*, That aside from all party and political considerations, we are happy to recognise in this distinguished stranger, the most elevated properties of the gentleman and the scholar, the jurist and the statesman; and, that as such, he merits our regard, and is entitled to our hospitalities.

*Resolved*, That a committee of thirty be appointed by the chairman, to wait on Mr. Webster, and invite him to partake of a public dinner, on Wednesday next, the 19th instant.

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*Saturday, 15th June*, 1833.

SIR: The citizens of Cincinnati, anxious to tender to you some evidence of the high estimation in which they hold your character and public services, have appointed the undersigned to invite you, in their names, to a public dinner.

In obedience to their wishes, we have the honor of requesting your company, on Wednesday, at 4 P. M. at the commercial exchange. MORGAN NEVILLE, *chairman*.

*Hon. D. Webster.*

The following gentlemen were appointed the committee to carry into effect the resolutions of the citizens:

| | |
|---|---|
| Gen. James Findlay, | Jacob Burnet, |
| Joseph Pierce, | D. T. Disney, |
| Robert Buchanan, | William C. Anderson, |
| Judge Torrence, | Judge Goodenow, |
| Bellamy Storer, | Daniel Drake, |
| Josiah Lawrence, | Ebenezer Hulse, |
| Robert T. Lytle, | General Edward King, |
| Morgan Neville, | Dr L. Reives, |
| Judge William Miller, | Col. Francis Carr, |
| General Samuel Borden, | William Tift, |
| James Goodloe, | William R. Foster, |
| Jacob Resor, | John H. Groesbeck, |
| Allison Owen, | Dr. J. Caswell, |
| Peyton S. Symmes, | E. S. Thomas, |
| Archibald Irwin, | John P. Foote. |

MORGAN NEVILLE, *chairman*.

*Bellamy Storer, secretary.*

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*Saturday, June* 15, 1833.

SIR: I have the honor to acknowledge the receipt of your letter, as chairman of a committee appointed by the citizens of Cincinnati, inviting me to a public dinner on Wednesday. In this my first visit to the west, it has been my object to see the country, as extensively as I could, and to enjoy an intercourse with the people, free from the restraints and inconveniences, attendant on public manifestations of regard and kindness. On the present occasion, however, it seems to be thought, that what is so kindly proposed may afford an opportunity of enlarging that intercourse, and of exchanging salutations with the citizens of Cincinnati, more favorable than may otherwise be presented. With these impressions, I accept with pleasure the invitation which is given to me. I am with much true regard, your obliged fellow citizen, DANIEL WEBSTER.

*Morgan Neville, esq.*

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Accordingly on the 19th June the dinner was given, of which the Cincinnati Gazette of the 21st says—"The dinner to Mr. Webster, on Wednesday, was what, in the language of truth, might be called a brilliant affair. Every thing passed off well. The company was full to overflowing, and no unpleasant incident occurred to mar the general hilarity. The mayor presided; the rev. Wm. Burke made an invocation to the throne of grace, at the commencement of the festivities. The dinner was a good one—abundant—well prepared—the wines—but in them I have no skill. Mr. Webster was called out for a speech at the 6th toast. It was well conceived and happy—natural in all its aspects—a little flattering to the whole west—a little more so to Cincinnati in particular—and yet, perhaps, nothing short of the whole truth. He has promised to furnish a sketch of it for publication, and we will not anticipate that sketch, by giving one from mere memory."

Mr. Barry* declined joining in the festivities, in consequence of the visitations of the cholera among his friends at Lexington

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very properly considering that these ought to preclude him from being one of a festive board.

*Regular toasts.*

1. The president of the United States.
2. The heads of department.
3. The federal judiciary.
4. The army and navy of the United States.
5. The memory of Washington.
6. Our distinguished guest, the hon. Daniel Webster—The profound expounder of the constitution, the eloquent supporter of the federal union, and the uniform friend and advocate of the western country.
7. The patriots of the revolution.
8. The defenders of our country during the late war.
9. Our friend, fellow citizen and guest gen. Wm. Henry Harrison—identified with the warfare and settlement, prosperity and glory of the western country—the laurels which he wears have been well won, and are cheerfully accorded.
10. The press—When conducted by learning and patriotism, a national blessing; but in its licentiousness, a curse to all mankind.
11. Common schools—New England has taught us their value, in the fruits she has produced from her nurseries of science.
12. The union—"It must be preserved."
13. The state of Ohio—May the devotion of her sons to the institutions of the country, keep pace with the improvement of her soil, the increase of her population, and the enterprise of her citizens.
14. *The fair*—While they are for *union*, we defy the world.

*Volunteers.*

By Daniel Webster. *The city of Cincinnati*—A beautiful illustration of the co-operation between nature and art. May the prosperity of her citizens be commensurate with their hospitality and enterprise.

By Wm. H. Harrison. *Daniel Webster*—The true representative of the character and manners of his country. Skilled in all the labors of a farmer, (his original profession), he is able to instruct the chief justice of England in the principles of the law which are common to both countries, and to compete with lord chancellor Brougham, or any other lord, for the palm of eloquence, and in explaining the principles of "good old English liberty."

Sent by a lady. *Daniel Webster*—

"Westward the eastern star has bent his way,
May more than empire bless its cloudless ray."

By T. Walker, esq. *Daniel Webster*—The *Daniel* of his age. He may be cast among *lions*, as many as you please; but even there you will find him the master spirit.

By Marcus Smith. *The constitution of the United States*—Ambiguous and obscure only to the ambitious and corrupt: when assailed by such, may there ever be found among the people a DANIEL *who can interpret the writing*.

By Samuel Findlay. To him who yesterday came among a community of strangers, and to morrow leaves a community of friends.

## THE DREAMS OF THE POET REALIZED.

The following remarkable prediction by *Barlow*, in his Vision of Columbus, first published at Hartford, in 1787, must have been regarded by the generation of that day as the mere conception of a visionary enthusiast. How wonderfully has it been fulfilled by the completion of those magnificent undertakings, the *Erie* and *Ohio canals!*

"He saw, as widely spreads the unchannell'd plain,
Where inland realms for ages bloom'd in vain,
CANALS, long winding, ope a watery flight,
And distant streams, and seas, and lakes unite.
From fair ALBANIA, tow'rd the falling sun,
Back through the midland lengthening channels run,
Meet the far lakes, their beauteous towns that lave,
And HUDSON joined to broad OHIO'S wave."

Vis. Col. Ed. 1787—p. 246.

## CASE OF JOHN H. PLEASANTS.

*From the Richmond Whig, of June 27.*

ATTACHMENT FOR CONTEMPT, AGAINST THE SENIOR EDITOR OF THIS PAPER.

As we promised some days ago, we avail ourselves of the first leisure, to lay before the readers of this paper, the answer of John H. Pleasants, (drawn by gen. Walter Jones), showing cause why he should not be attached for an alleged contempt of the circuit court of the District of Columbia, for the county of Alexandria, in disobeying a summons of said court, to attend it as a witness. We respectfully solicit an attentive perusal of that answer, by gentlemen of the bar, and by the public at large, believing as we do, that grave principles of constitutional and municipal law, are involved in the case.

We beg leave here to annex extracts from a letter from gen. Jones, which will contribute to enable the reader along with the answer, to form a just opinion of the legality of the course pursued by the court at Alexandria—a court for whose members, as individuals, we entertain every respect.

"The attachment is made returnable to some day in August, when the solemn parade of another special meeting of the court and grand jury is ordered, for the single purpose of dealing with your refractory body, if they can get hold of it. But this, I am well satisfied, they can never do: unless you voluntarily submit, as a native citizen and settled inhabitant of our old commonwealth, to be dragged from the protection of domestic laws and institutions, into a foreign jurisdiction, to which you never were subject, and against which you are charged with no offence, but that of declining upon your native soil, the extra territorial jurisdiction of a foreign tribunal over your person and liberty. You may, certainly, if you please, submit to be thus dragged away, and compulsorily subjected to the action of laws and tribunals, within the limited sphere of whose power, nothing but their own compulsion had brought you; to whose jurisprudence you are a stranger; and from the possible abuses, or from the arbitrary principles and tendencies of which, no matter how penally they may operate on your person or fortune, the laws and tribunals of your own state, could give you no relief—no redress, though the identical act, with the commission or omission of which you are charged, was committed or omitted, whilst you were abiding in the heart of your own state, and entitled to the protection, or subject to the censure, of the constitution, laws and tribunals of that state alone. No invidious comparison is here intended between the actual administration of the laws, or the principles on which liberty and property are secured by existing institutions in the District of Columbia and in the state of Virginia; they may be all equally excellent in theory and practice. But as no stranger can assume parental authority over a child, without the consent of the parent, so no state can exercise jurisdiction over a citizen of another state, within the territory of his own state, without some conventional arrangement between the states to that effect. And no sovereign state could be justified in remitting her citizens to the cognizance of a foreign jurisdiction, in the institution of whose government and laws, those citizens could have had no voice, nor the state herself any control over any possible vices or abuses, either in the laws themselves, or in the administration of the laws. If any such concession may ever be deemed consistent with the dignity or the duties of a sovereign state, it must be under some very peculiar circumstances of manifest and urgent necessity; and then the concession should be strictly guarded, by positive regulations and well defined limitations, instituted, or distinctly approved and confirmed, by the laws of the state making the concession. I have looked in vain, after an anxious and diligent search, for any law of congress that even asserts for the tribunals of this district any such authority over the citizens of Virginia; and if any such law of congress could be found, I should still challenge, with more undoubting confidence in the triumphant maintenance of my challenge, a reference to any one law, or any one act, of Virginia, whereby she has, either by express convention or any tacit implication, made any concession to congress of the power to extend the jurisdiction of the local tribunals of the District of Columbia over the territory of Virginia, or her citizens abiding in their own state. Indeed, a state rights question of portentous import arises; and one of far more interest than many that have made more noise in the country. 'Tis a little remarkable, that hitherto the states have exerted all their vigilance and jealousy to vindicate their separate rights against supposed encroachments of the general government in the exercise of its highest powers; but now, an inferior court, completely local in its institution and jurisdiction, and no otherwise distinguished from other local tribunals, but that it happened to be created by congress for the local administration of justice in a small district under the exclusive legislation of congress, and absolutely excluded, in virtue of that exclusive legislation, from the community of states, both in their federal relations, and in their separate capacities as sovereign states, this same local and inferior tribunal claims an extended jurisdiction in the states, qualifying it not only to summon, but to attach and bring to its bar by force of its own process, citizens of the states residing in the body of the states, and as completely clear of its jurisdiction, as citizenship and residence can make them.

"The decisions of chief justice Marshall and judge Barbour against the power to arrest Mr. Randolph himself in Virginia, for the assault committed by him in the District of Columbia, are conclusive against the power now assumed, to summon and attach you as a witness in the same or any similar case; and every reason that operated against the arrest in the first instance, concludes *a fortiori* against the summons and attachment in the other; besides other and more conclusive reasons applicable to the latter in particular."

So far gen. Jones. We doubt not that every lawyer and every man who has just views of our federal relations, and of the rights of the citizen, will agree with him; and with this argument in hand, we shall, as we feel it our imperative duty, apply for a writ of habeas corpus, in perfect confidence that the power assumed by the court at Alexandria, will be judicially vetoed.

*Circuit court of the District of Columbia for the county of Alexandria.*

June 4, 1833.

A summons was issued from the clerk's office of the county of Alexandria, in the District of Columbia, directed to the marshal of the eastern district of Virginia, and commanding him to summon John H. Pleasants to appear before the honorable *the U. States* judges of the circuit court of the *District of Columbia* for the *county of Alexandria*, at the court house in the town of Alexandria, *immediately*, to testify and the truth to say on behalf of the United States before the grand jury of the said county of Alexandria.

* The P. M. general, who happened to be at Cincinnati.

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*June 8, 1833.*

Thomas Woodward, deputy marshal of the District of *Columbia* (who was sent express from Washington to Richmond, there to serve a summons directed to the marsal of the eastern district of *Virginia*) made oath in open court that he had served the summons on the said Pleasants in the city of Richmond in Virginia, on the 6th June; and that said Pleasants said "he should not attend." Thereupon the district attorney moved the court for an attachment against said Pleasants; and being required by the court to state what evidence he expected said Pleasants could give to the grand jury for Alexandria county, the said attorney made an affidavit to the following effect:

"That he had been informed and believes that said Pleasants is the editor of a newspaper published in the city of Richmond, called 'Daily Richmond Whig and Public Advertiser:' that he hath seen in said paper a letter published, purporting to bear date 7th May, from *some person* in Alexandria to *some person* in Richmond: which newspaper is produced and annexed to the affidavit as exhibit C: that the grand jury have now before them for consideration, a bill of indictment charging R. B. Randolph and sundry other persons *as having* conspired and confederated together to commit an assault on the president of the U. States in the county of Alexandria: that he expects the said Pleasants can prove *who was the writer of said letter:* that he considers the facts and circumstances stated in said letter as tending to prove, in connexion with other facts and circumstances which he has reason to believe have been proved or may be proved before the grand jury, that there was such a conspiracy. He further states that he considers the facts and circumstances stated in said letter as tending to prove, *if not* such a *conspiracy*, yet, in connexion with other facts and circumstances of which he believes evidence has been laid before the grand jury, *an illegal and improper combination to prevent the arrest of said Randolph*, who is stated in said letter to have committed an assault on the president of the United States, and which assault hath been presented by the grand jury; and by preventing such arrest to obstruct the administration of justice. He further states, that it appears from the said letter that the *writer* thereof was *acquainted with said offence* of said *Randolph*, both before and after the same was committed; and that, for the reasons above stated, he hath considered it his official duty to have the said witness subpœnaed to give evidence, *as to the writer of the said letter*, to the grand jury."

Upon the *strength* of this affidavit (presuming, as we must, that its weakness was its strength), the court instantly laid a rule on J. H. Pleasants to show cause in court, on Monday the 17th June, why an attachment should not issue against him for not attending agreeably to the former summons.

This rule was, on the 11th June, served on said Pleasants, by the same deputy marshal Woodward, who was a second time despatched from Washington to Richmond on this most important errand.

Deputy marshal Woodward, of the District of Columbia, at the same time, served a second summons upon said Pleasants, directed as before to the marshal of the eastern district of *Virginia*, and commanding that marshal, in the same vague terms as before, to summon said Pleasants to appear, &c. and "to testify and the truth to say on behalf of the United States, before the grand jury of said county of Alexandria;" but with the following addition to what was required by the former summons: "and to bring with him the *original* of a letter, dated, Alexandria, May 7, published in a newspaper called Daily Richmond Whig and Public Advertiser, of the 8th of May, 1833, under the head, "the Alexandria case."

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*To the judges of the circuit court of the District of Columbia, for the county of Alexandria.*

John H. Pleasants of the city of Richmond, in the commonwealth of Virginia, by way of shewing cause against an attachment for a supposed contempt in not obeying a certain summons mentioned in the rule of your court granted at the instance of the United States attorney for the District of Columbia—says, that if, in contemplation of law he has done or omitted to do any act, the commission or omission of which may amount to a technical contempt of the authority of your court, he is guiltless of any such offence in design and intention: for that if the said summons had been issued by the order or with the privity of the court, and if its authority to issue such process had been less questionable than it is, he conceives that his circumstances afforded a sufficient excuse for his failure to attend pursuant to the tenor of the summons—and though he was and is sincerely impressed with the opinion and belief, confirmed by the advice of eminent counsel and by a recent judicial decision of high and imposing authority to the point, that the summons was improvidently issued and void of all authority and obligation in law, and therefore he presumed that it had been issued by the ministerial officers of the court, without the direct sanction of its order or privity; or if with such order or privity, that the court, proceeding in the first instance upon ex parte suggestion, would, upon further advisement and maturer consideration, quash the procedure as transcending the limits of its power and jurisdiction, and as being in itself irregular and unreasonable in other respects; yet from his real respect for the character both personal and official, of the court, he begs leave to submit to the court in the first instance, the circumstances which he hopes would have constituted a just and reasonable excuse for his failure to attend the court or the grand jury, pursuant to the tenor of the summons in question, even if a regular summons might lawfully run, in any case, from the District of Columbia into this commonwealth.

[The 1st count refers to domestic matters.]

2. This respondent has no personal knowledge of any crime or offence committed in the District of Columbia or any wise cognizable by your court or by the grand jury of Alexandria county: nor was there any circumstance from which the law officers of the United States could reasonably have presumed his possession of any such knowledge: but every known fact, and every legitimate supposition of facts, connected with his relative situation and circumstances—indeed all notoriety—went to raise a directly opposite presumption: namely, that he was an utter stranger to any transaction that could then have been the subject of investigation before the grand jury; and that, of the great mass of persons within the same distance from the scene of action, there was not one to whom any personal knowledge of the matter might not have been imputed with as much reason and probability as to himself.

3. The summons imports not that there was any prosecution, or other cause, actually pending before the court or the grand jury, wherein he was required to testify as a witness; names no party against whom, nor any existing litigation wherein he was so required to testify. The letter which he was required to produce, was a simple relation of the assault said to have been committed by Robert B. Randolph on Andrew Jackson, and the attendant circumstances, without the remotest allusion to any other offence committed by him or any other person; and the facts, or some of the facts stated in the letter, would of course be the subject of proof on the trial of Mr. Randolph for that act; but the indictment against him for that act, had already been passed upon and found by the grand jury—and by no possibility could it be presumed that such act was any longer the subject of investigation before the grand jury, nor was the respondent summoned to attend as a witness in that case, but only to testify vaguely upon some undetermined and indefinite subject before the grand jury. Whereas this respondent was, and is well advised, that, according to the positive law of the land, and the well established practice of criminal jurisprudence, as well in the county of Alexandria as in the commonwealth of Virginia, no witness can be lawfully summoned by any public or private prosecutor, to testify before the grand jury, but in case of a definite charge, preferred in the solemn form of an indictment, or information, for some specific offence charged against some individual or individuals by name; and that the summons for witnesses in such case, should identify the case and the parties by name.

4. Neither the summons itself, nor any subsequent disclosure of its object or purposes, imports that either the letter itself or any evidence of this respondent could possibly be in fact, or could reasonably be presumed by the law officers of the United States, even competent, far less material evidence, of any one fact or circumstance tending to prove the commission of any crime or offence whatever, by any person or persons whatever, in the county of Alexandria or elsewhere.

1st. Because the letter itself is not pretended to be the ground of any prosecution against the writer thereof, for any libellous, or other criminal matter therein contained, but the contrary appears both on the showing of the district attorney, and on the face of the letter itself, where the entire innocency both of the writing and of the publication thereof, stands manifest.

2d. Because that the summons calls for the production of the letter, not as a letter written by any *party* to any prosecution pending before the court or the grand jury, or by any named or described individual in particular, but as a letter simply described and identified by its date, &c. no matter by whom written—no matter whether the facts related in it were derived from the personal knowledge of the writer or from hearsay.

3d. Because from the after-showing of the district attorney, in his said affidavit, it does not appear that the letter is charged, or even suspected to be written by any party to the prosecution mentioned in such affidavit; but that the production of the letter is broadly demanded, no matter by whom, or under what circumstances or upon what information soever written.

4th. Because the district attorney when he undertakes to specify the use intended to be made of the letter itself, and of the testimony of this respondent, pretends not that either the one or the other is competent, far less material evidence of any fact or circumstance affecting the guilt or innocence of any *party* to the alleged prosecution, or of any other individual in particular; but merely suggests, or rather conjectures some possible application of the evidence, to one or other of two cases, either the one now said to be pending before the grand jury for conspiracy, &c. or is the other already passed upon by the grand jury for actual assault and battery; and such application of the evidence its supposed in one or other of three different aspects of the case, alternately presented, as first considering the facts and circumstances stated in the letter, in connection with certain other facts and circumstances as tending to prove a *conspiracy* to commit an assault upon the president of the U. States; or if not that, yet an illegal and improper combination to prevent the arrest of said Randolph for his said assault; without pretending that the required evidence was at all competent, or had any tendency to fix the supposed guilt of such combination upon any party to the supposed offence, or upon any other individual or individuals in particular, but to prove indefinitely the mere existence of such a combination among unnamed and unknown persons; or lastly, that the writer of the letter, (whomsoever he may chance to be), "*appears to be acquainted with*

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many material and important circumstances *connected* with the *said offence* of said Randolph, [that is his assault on the president of the United States], both before and after it was committed,'' and the district attorney "expects the said Pleasants, [this respondent], can prove who was the *writer* of the letter;" in which last aspect of the required evidence, 'tis clear that neither the testimony of this respondent, nor the letter itself is expected to be either sufficient or competent to establish, by its own specific credit or force, any one fact or circumstance whatever, but to be used as the mere means of discovering some new source of evidence that may by possibility turn out to be competent and material; but what is a still more remarkable anomaly, this indirect object is professedly sought to be accomplished by means of a summons issued in one case to answer the collateral purposes of the prosecutor in another case, by means of a summons issued in the first case of an indictment for conspiracy not yet passed or found by the grand jury, to seek a discovery of possible evidence for the trial of an indictment for an actual assault already passed on and found by the grand jury; so that after all, this respondent has been summoned to attend in person, and to produce the letter in question, upon a pending inquiry before the grand jury, whether one offence has been committed, for the mere purpose of the possible discovery of new sources of evidence operating on another case for a different offence, thereafter to be tried.

5thly. Because the utter groundlessness of the pretexts on which the summons is professed to have been issued is demonstrative from the contents of the letter published, and from the shewing of the district attorney in his said affidavit since it is deemed quite evident and clear, that if the writer of the letter upon being discovered and produced as a witness, were to prove every fact and circumstance stated by him in the letter, there is not one that has the remotest tendency to prove the existence of any such conspiracy, or combination, as is pretended to be the sole ground of the only indictment, yet pending before the grand jury; but that the only case wherein any matter stated in the letter could be at all material, is that of the indictment for the actual assault; and that is the precise case in which the summons was not issued; and moreover if it could possibly be deemed the proper office of a summons to compel the discovery by one witness of another witness either in the same or in a different case, it is not pretended that any such indirect method of getting at evidence finds any apology, either in the wilful suppression, or in any indirect defect of patent evidence to prove the fact of the *actual assault*, because it is notorious that the prosecutor relies on the evidence of eye witnesses in abundance to prove the fact incontestably.

The real object, the true end and aim of the summons could be inferred from the tenor of the summons itself, and from the known tendency of the evidence required by it, to be no other than a wide searching inquisition into the authorship of a published letter, either for the purpose of throwing odium or suspicion on the unknown writer, when discovered, or of fishing for a new witness to facts which it was well known this respondent was no witness to prove, and whereof it was equally notorious the letter itself could not be competent evidence: and this respondent is well advised that it is no office of a summons, nor at all within the province of a grand jury, to drag a citizen from his home, and set on foot an odious inquisition into his private correspondence, for the mere chance of the discovery of other witnesses, who may possibly prove what the witness summoned cannot prove; and that the issuing of a summons for any such purpose is a manifest abuse of the process of the court.

6th. 'Tis the common right of the citizen to write either in the confidence of private correspondence with his friends and acquaintance, or of anonymous communications through the press to the public, any statements or opinions on public or private transactions, freely and without danger of being personally drawn in question, either before the public, or at the bar of any legal tribunal so as such writing be not libellous, or do not otherwise transgress any private rights or public duty; and it is a manifest and grievous invasion of such common right, and the most perilous abuse of legal process, to institute any official and public inquisition, to discover the contents of or the parties to such private correspondence, or the name of any anonymous author of a published piece. If there be any exception to this general immunity conceded to the authors of innocent and harmless writings, the exception must be distinctly made out by the party who sets it up, in all its circumstances; he must clearly make out a case where the absolute necessities of judicial justice require the production of the writing; a case impossible to be made out, when it is not made clearly to appear in limine that the writing if produced would be competent evidence in the cause; whereas in the present instance, there is not only the absence of any such suggestion, but every presumption to the contrary.

7th. But whatever might have been the effect of the summons if it had been in the power of this respondent to comply with its requisitions, he avers that it was not in his power to produce the original of the letter mentioned or referred to in the body of said summons; because, he says the said letter was not written or addressed to himself, but to another person, the correspondent of the writer, who showed it to this respondent, and permitted him to take an extract from it; which extract he published in his said newspaper; that upon taking such extract, he returned the letter to the owner thereof, and had it not in his possession, power or control at the time of being served with such summons or at any time since. And this respondent is not competent from any personal knowledge or of acquaintance with the hand writing of the person by whom the said letter purported to have been written, to identify on his oath as a witness, the hand writing of said letter as that of the person by whom it purported to have been written; even if he could have been required, in the absence of the letter itself to speak of its contents and to prove the hand writing.

So far this respondent has submitted the facts and the reasons upon which he conceives that he ought to be, and would have been excused for his failure to comply with the requisitions of said summons, even if a summons otherwise unexceptionable in its terms and circumstances, might lawfully run from the District of Columbia into this commonwealth, and if your court had jurisdiction to coerce the attendance of witnesses from this commonwealth. But he respectfully submits that your court possesses no such jurisdiction; and the point is now judicially decided by the two judges composing the circuit court of the United States for the eastern district of Virginia; to wit: the chief justice of the United States, and the district judge: to each of whom, application was made to arrest the said Randolph, under the 33d section of the original judiciary act of the United States, for the assault which he is charged to have committed on Andrew Jackson, in the county of Alexandria; and by both of whom the warrant was refused, for reasons and upon grounds identical in principle with the question of your court's power and jurisdiction to issue summonses into this commonwealth for witnesses there residing. To the decisions of the said judges, (evidence of which, and their opinions at large, are as he understands, in the possession of the attorney of the United States for the District of Columbia), and to the reason and law in the case, he respectfully refers.

JNO. H. PLEASANTS.

*City of Richmond:*

The above named John H. Pleasants, this day made oath before me, the subscriber, one of the aldermen for said city, that the facts which he has above alleged, as matters within his own personal knowledge, are true, as above stated: leaving the matters of inference from the summons itself, and the affidavit of the district attorney, above mentioned, and the reasons of law and right above advanced, to stand in their own intrinsic force. Given under my hand and seal, this 18th day of June, 1833.

A copy. Signed, JNO. L. TATE.

The "National Intelligencer" having published the preceding statement, on the following day, said—

We are requested to correct and explain a mistake in that part of the statement of the attachment case, republished in our paper of yesterday from the Richmond Whig, which, quoting a letter from general JONES, states that the attachment was made returned to a special session of the court appointed for some day in *August*. Such, indeed, seemed to be the understanding when he left the court some time before its adjournment on the 17th June; and the counsel, not doubting the result from what passed while he was present, so informed his client. But, we understand, the court afterwards determined on an adjournment over to the regular term in *October*; of which he was not aware.

The "Whig" of the 1st inst. speaking of the "attachment" says—

"Virginia is a sovereign state. What is the District of Columbia? An anomoly in the condition of nations—a dependency merely, not even possessed of the right of self government. Can any or all the courts of Virginia, send their officers into that District to execute process? No. The sovereign then attempts not to exercise, lays not even a claim to a power which a county court of the dependency boldly assumes and exercises in respect to her citizens! The county court of Alexandria (for with all its high sounding titles it is neither more nor less) can bring every citizen of the state of Virginia to its bar, as witnesses, and imprison and fine them for disobedience, but the great commonwealth of Virginia cannot coerce the presence in any one of her courts, of the humblest individual in Alexandria or Washington! A fine state of things truly.

"What should be thought of the presumption of the court at Alexandria, in sending their officer into this state, to drag its citizens to their bar? The federal judges (Marshall and Barbour) declined, for want of power, to issue warrants for the apprehension of the *offender*, Mr. Randolph; but the county court of Alexandria, with a full knowledge of this decision, despatch their officers into this state, to bring its citizens prisoners to their bar as witnesses, in a case growing out of the very transaction! It is hard to imagine conduct more preposterous, or more at war with the ordinary rules of judicial conduct."

And in another place observes, of the judges—"We have viewed their high-handed measures in sending a deputy marshal of the District of Columbia, to serve process in Virginia, and their determination to imprison the editor of this paper for disobeying that process, no more obligatory on him than a mandate of the court of king's bench."

☞The *crawling* proceedings had in this case will recoil on the heads of the devoted. "Where are you going, Sawney," said a gentleman when he discovered a fellow crawling through his hedge to plunder his orchard—"Bock agen, sir," was the reply.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 20—VOL. VIII.] BALTIMORE, JULY 13, 1833. [VOL. XLIV. WHOLE No. 1,138.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.


☞The president is said to have recovered from the fatigue of his journey, and to enjoy a pretty good state of health.

☞Mr. *Webster* having arrived at Pittsburg on the 4th inst. was waited upon by hundreds of persons, and invited to a public dinner, which he declined; but consented to accept a cold collation, which was given in a grove on the 8th—about two thousand persons being present. After he had been addressed by the mayor, he made a reply of considerable length, which was listened to with the deepest attention, and received with bursts of applause. It is expected that this speech will be published.

It is stated "that, in consequence probably of the terrible ravages of the cholera at Lexington, it is not likely that Mr. *Clay* will visit the north, this summer, as he had intended; which will be as great a disappointment to [illegible] quarter, as Mr. [illegible] to the people of all parts of Ohio, who were anxious to see him, and much disappointed that they had not an opportunity."

☞A writer in the National Intelligencer, speaking of currency, says—

"Mr. *William M. Gouge*, whose work on banks is full of information, states, from the writings of two most able political economists, that our capitals amount to 12,000,000,000, and its productive industry at 600,000,000. Mr. Lee, of Boston, estimates capitals at 10,000,000,000, and our national income at 700 or 800 millions. Mr. Niles values our capitals at 1,066,000,000."

We quote the paragraph for the purpose of correcting a mistake. It was our opinion, in 1827, that the *income*, (not the "capital") of the people of the United States, was 1,066,000,000 dollars, at the then money-value of their various productions. We should now estimate the income at more than 1,200,000,000. This will allow less than 100 dollars per head, for the subsistence and clothing, and *all* other acquisitions of necessaries or comforts, or *new values* annually created or obtained.

The estimated income, (1,066 millions, in 1827), had reference only to the products of *labor*—that is, that so much value was needful to the supply, shelter and comfort of the people of the United States—and was annually created or obtained, in the product of lands, mines, workshops and factories, in the building and repair of houses and ships, roads and canals and bridges—and the thousand other laborious occupations of men and women, whether aided by scientific or animal power, or resting on manual labor, alone.

The table prepared and published by us in 1827, was made up after much reflection and a long and close examination of all the facts which were then accessible to us; and we have since collected a great deal of information with the design of attempting a *detailed* statement, in which, however, no more than an approximation to the truth can be expected; but the weather must become cooler, and the editor's health a little stronger, before this design can be carried in effect. It will require many hundred references to facts, and laborious calculations—and, if satisfactorily finished, may gratify a laudable curiosity, and, perhaps, also be useful; for there is a great lack of statistical knowledge, and few are willing to seek it for themselves—though most persons are pleased in possessing it.

☞We have given more than the usual space to our selection of foreign articles, because of certain documents and papers which ought to be preserved for reference. No very important result is mentioned, unless in respect to Turkey and Egypt, between whom there is peace—but there are strong indications of momentous results; and especially, that the British government will abolish negro slavery, in their West India colonies—no matter at what hazard or cost.

☞There are some curious matters stated in one of the following pages concerning the "wonders of the deep." A belief in the existence of sea serpents, and of their appearance off the eastern coast of the United States, in the summer season, is *almost* forced upon us—by the "testimony of many witnesses." It is hardly possible that so many persons can be deceived—and now there is a whole family of serpents! Where is the *home* of these monstrous strangers?—why do they shew themselves only in one neighborhood? Have they *always* existed, and just now offered themselves to the view of some of those who inhabit the "crust of the earth?" "Brother Jonathan," we think, will soon grapple one of them—*for he fears nothing that swims.*

☞The "York Republican" is doing a good service in publishing a complete list of all the foreigners who hold stocks of the state of Pennsylvania. We shall copy this list, as well because it is a curiosity, as in reproof of those who have *bawled* so much about the stock of foreigners in the bank of the U[illegible] "Thou hypocrite [illegible]

THE CHOLERA.

*New York.* Five deaths had occurred at the quarantine ground.

*Pittsburg.* A few solitary cases have happened since our last—but the disease did not seem likely to extend. There were 2 deaths on the 7th, but no new case, nor death, on the 8th inst.

*Maryland.* Cases still happened near Williamsport on the canal. Many of the laboring people had fled, and the disease had abated, as well as assumed a milder form.

*Baltimore.* A wild report was published in a New York paper of the presence of *the* cholera in this city. We do not believe that one case has yet happened. The city, indeed, is unusually healthy, for the season.

*Virginia.* Two fatal cases occurred 10 or 12 days ago in Richmond—but they were the first and the last.

One case only at Fredericksburg—about 20 days ago.

A good many cases of the cholera have appeared on the Kanawha. Whole number of deaths at Wheeling, from the 16th May to 23d June—153; a *fifth* of the population in some parts of the town! In other parts no case happened! The disease has ceased.

*Kentucky.* The cholera was thought to have nearly subsided at Maysville on the 4th inst. up to which time there had been 53 deaths—but has since returned.

There were a few cases yet at Lexington on the 3d inst. with fatal terminations. The disease, however, had lost its terrors, and a healthy state was speedily expected. Among those recently deceased, was Mrs. Smith, lady of the P. E. bishop of Kentucky, with other highly respected persons.

Deaths by cholera, at the latest dates, were happening at Georgetown, Shelbyville, Simpsonville, *Danville, Richmond,* Louisville, Cynthiana, in the Green River country, generally, Paris, *Flemingsburg, Lower Blue Licks, Lancaster,* Springfield, Augusta, in Mason county, *Harrodsburg,* Winchester, Bardstown, Frankfort, Danville, *Maysville.*

The cases at Louisville were chiefly in strangers. The city, in general, was healthy.

At the places marked in *italic* the disease was bad, at the latest accounts—at some of them awful. Not a few of the most worthy and valued people of Kentucky have left us—"to be seen of men no more."

*Ohio.* A few fatal cases at Chillicothe. Some still occurred in Cincinnati.

*Tennessee.* The disease was abating at Pulaski.

*Indiana.* From 20 to 30 deaths at Salem, and some at Charleston.

*Illinois.* There had been 10 or 12 deaths at Alton.

*Missouri.* At Palmyra the disease was dreadful—106 deaths, an unexampled mortality. Solitary cases still happened in St. Louis—but the latest papers do not notice any deaths.

*Mississippi.* The cholera had abated at Natchez, but not yet disappeared.

*New Orleans.* On the 25th ult. there were 20 deaths. From the 1st to the 25th June inclusive, there were 1,032 interments—to wit: 764 in the Catholic, and 268 in the Protestant burying ground.

Extract of a letter from a medical gentleman in New Orleans, dated June 18—"The cholera has completely subsided. No new cases have been reported during the last four and twenty hours. During its prevalence I have been actively engaged. Many dreadful and soul-piercing scenes have I witnessed, but the desolation and calamity achieved by this fell enemy of human existence, transcends almost any in the annals of affliction. I have seen the industrious mechanic expire in the arms of his heart broken spouse, and torn from his innocent offspring in the course of a single night; and before his remains could be consigned to a cemetery, I have witnessed his wife and several of his infants struck down by the terrific destroyer. My heart has sickened at the contemplation of such scenes, and I have be-



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wildered my intellect in the attempt to divine the object of the infliction of such misery."

The latest accounts give us reason to hope that the visit of the cholera was nearly at a present termination.

*Louisiana, generally.* The disease was fearfully destructive at St. Martinsville and its vicinity. The town had been nearly abandoned, by all who could leave it. At Rapides the mortality had been great among the blacks. A few cases at Nachitoches.

*Alabama.* Several deaths have taken place at Mobile Point.

*On Amelia Island* a few deaths have taken place.

*Cuba.* Letters from Matanzas, published in the New York Journal of Commerce, give the most distressing accounts of the progress of the cholera in Cuba. One of these letters, dated 16th June says: "We are standing upon a volcano. $8,000,000 would not supply the loss of slaves, valuing them at $200 each. Moreover, who shall calculate the number of orphans left destitute, or nearly so? Where is our guarantee that the disease is not permanently located in the island? How is confidence—utterly lost and ruined—to be restored?"

A letter of later date, however, the 25th, states that the cholera had disappeared from the city, but was spreading on several estates in the country.

An official report of the deaths by cholera in Havana and its suburbs, has been published, in which the whole number is put down 8,253—of whom 2,365 were white, and 5,070 colored population. Of the whole number there were 1,450 white males and 1,029 white females; 225 male free mulattoes, and 311 female [illegible] 20 male mulatto slaves, and 35 female do. 983 male [illegible] slaves, 909 fe-

*Mexico.* A letter from Vera [illegible] states that the yellow fever had carried off *one eighth* of the population of that place within forty days.

Tampico lost 900 persons, in 17 days! But the disease had there suddenly stopped.

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The awful suddenness of the appearance of the cholera and its fatal effects—with its quick retirement, are equally mysterious, in many instances.

A letter from Wheeling says—"Another circumstance which I consider a singular one, never having seen it mentioned as having taken place any where else, is that the martins, and even the domestic pigeons, left us during the prevalence of the disease—[cholera] they are now [14th ult.] returning, which I take to be a good omen. Was this instinct, or what other cause induced them to abandon their friends?"

"We are truly gratified to learn, says the Charleston Courier, that our fellow townsman, Dr. *Thomas Hunt*, has been eminently successful in his practice on col. Proctor's plantation, in the vicinity of New Orleans. Eight physicians had been successively employed, previous to Dr. Hunt's engagement, and had abandoned the place in despair, as doomed to destruction. Col. Proctor's gang consisted of 200 negroes, 85 of whom had perished before Dr. Hunt, prompt in obeying the call of humanity, reached the scene of desolation; and although *every negro* on the place was *several times* attacked by the disease, he grappled with and subdued it, with the loss of but *a single patient*—a triumph of professional skill perhaps without a parallel."

"THE TIMES CHANGE, AND WE CHANGE WITH THEM."

A little while ago—hardly two weeks since, it was proclaimed as the bitterness and falsehood of party, and, by some, accounted a sort of high treason, to "imagine" that the president of the United States was not in robust health; and, because of statements concerning his indisposition at Boston, that patent "democratic" newspaper, the "*Albany Argus*," thus reproved and dissipated all that had been said about it:

*From the Albany Argus of July 2.*—The health of president Jackson has been a fruitful theme of misrepresentation with a certain class of newspapers since his first election. It seems this has become a habit too firmly fixed with the Evening Journal, to be laid aside now that no possible or supposed benefit can result to the cause it advocates from the belief of gen. J's illness. The Journal of yesterday afternoon says, "The last accounts left the president indisposed at Salem." The *last accounts*, published in the Argus of yesterday morning, left him on the road from Salem to Andover and Lowell, having been "abroad at an early hour," visiting the East India museum, riding through the streets, and receiving the visits of a large number of the citizens of Salem.

*From the same of July 3.*—It will be perceived, by our extracts from the Boston papers, that the president arrived at Lowell on Thursday afternoon—that he visited the extensive manufacturing establishments, mills and print works, with very little appearance of fatigue—and that he passed the New Hampshire line, on his route to Concord, early on Friday morning. His health seems to have been re-established.

But on the 4th of July, the same paper was compelled to announce the sudden return of the president, and his rapid journey direct to Washington, as if for the preservation of his life, (and, perhaps, it was), because of the fatigue that he had undergone, and the ill health which beset him! What other result was to have been expected? Many predicted that he would not live through his proposed tour, and some few were even wicked enough to suppose that such a *hope* was entertained by a certain portion of his most loudly professing friends—and all reflecting men were sensible of the fatigue that he would have to undergo in the journey intended, because of the almost constant pressure of crowds of people upon him, and the continual presentation of new and exciting objects, at different places. In some, he was hemmed round about by exclusive partizans,* and held like a prisoner in bonds—and, if we ever knew Andrew Jackson, he must, in his heart, have felt disgusted with a good many ungentlemanly and rude proceedings which happened in several cities, forbidding the approach of some of the most virtuous or venerable persons in the United States, and casting him into scenes of senseless noise and unreflecting obtrusion. Besides, the accident at Castle Garden bridge, in New York, by which many persons (including some of his suite), were cast into the water, amidst the rubbish of the bridge, from which he himself hardly escaped—the running away of the horses in his carriage in New Hampshire, and the dreadful mangling of three persons engaged in firing salutes in honor of him—must have added not a little to the burthens he was

* These "exclusives," in very numerous instances, were persons who had been the bitterest and most resolute of all his [illegible] son flag," only because they came [illegible] under the "Jack-[illegible] Influence and office they *would* have—and they obtained one or the other by supporting, as a *blessing* and a *patriot*, him whom they had regarded as a "*curse*," and denounced as a "murderer."

Though in the presidential election of 1824, we took no other part than that of simply placing a ballot in the box, except to defeat the jugglers who had conspired to *force* their candidate into the seat of the chief magistrate, against the manifest wishes of a vast majority of the people of the United States—we were not unobservant of what was going on, nor have we forgotten some things that happened, well remembering certain actors in them!—and we query if there is more than *two* persons in the first or second grade of [civil] offices at Washington, who were not, at that time, most decided, if not violent, opponents of general Jackson. The "*originals*" have been set aside, to make room for such as we have just alluded to. The "spoils of victory" have not been divided amongst those who "bore the burthen and the heat of the day"—the "11½ hour men" have monopolized every thing. *We* have nothing to complain of, or care for, in this matter—which is mentioned only to say, "tempora mutantur!"

We have spoken of the "exclusives" who made the president a *prisoner*. The "Yankees," in their chastened respect for the chief magistrate, had, no doubt, touched the best feelings of ANDREW JACKSON, and he saw and knew the difference between the fawnings of office holders and office-hunters and the wild outcries of a crowd, and the sober, yet kind and generous doings of intelligent persons, who could lay aside every selfish feeling in rendering attentions to a distinguished stranger and honored guest. It is even freely said that *the* committee from Portsmouth, N. H. having shewn a disposition to make a *thing* of the president to be approached only by those whom *they* pleased, were dismissed, with a warm *left handed* blessing from the general—and that this impertinent act had no inconsiderable influence over his prompt return. He might, perhaps, have anticipated what would happen at ALBANY—where we saw "the republican party" in all its glory, in August, 1824, at the extra session of the legislature; and, for the first time, fully understood what was the "monster party spirit," which general Jackson spoke of in his letters to president Monroe, or understood clearly that the only sure way of serving "*the* republican party," was *to prevent the people from voting for their president!*—and at that time, and by "the republican party," the pretensions of "*Mr. Jackson*" to the presidency were treated with sovereign "democratic" contempt.

There is reason to believe that the eyes of the "old chief" have been opened by his tour. He saw, or must have known, that at Baltimore, Philadelphia and New York, Black Hawk and his suite, attracted the same sort of crowds which surrounded himself and his suite—and have been made well acquainted with the fact, that persons were on the stretch to use him to keep up the "monster party spirit," and promote their own mean purposes.

Another thing probably annoyed the president, in the contests of individuals to get possession of his person, and direct his movements! We have heard of things which happened, and believe that they occurred, between rival chiefs for *this* command, at which one might laugh heartily, if not disgusted with the presumption and rudeness of individuals concerned.

The Portland Evening Advertiser of the 2d inst. contains the following:

A letter was received this morning from Mr. Woodbury, of which the following is an extract:

*Concord, 30th June, 1833.*

Dear sir:—I regret to inform you that the ill health of the president is such, *connected with other causes*, as to induce him to return directly to Washington.

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compelled to bear; for the president is an aged man, and has encountered many and very severe trials of his constitution—which must, indeed, have been an excellent one. But the human machine, like all other machines, will wear out—and if it be admitted for the sake of argument, that his *mind* is as sound as ever it was—surely, it need not be pretended that his *body* is capable of supporting that pressure under which it would not have bowed itself twenty or twenty-five years ago. It is only those who have passed through a stream of anxious people, that can form a just idea of the labor and exhaustion which attended the president on his journey. We, indeed, expected that his tour would have terminated sooner than it did—because of events that had happened, but do not apprehend that we were guilty of *treason* on that account; for certainly, under the new character of important "things as they are," and the prospect of things *as they may be*, we are not willing to "imagine" the illness or decease of general JACKSON during the time for which he has been recently elected. We wish that he may live to return to "the Hermitage" in 1836—and there end his life, when GOD so wills it, in *perfect* peace.

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A few years ago, one of the universities conferred the honorary degree of LL. D. on HENRY CLAY—whose knowledge of the civil law was unanimously admitted—whose capacity [illegible] acknowledged for a long period of years, whose tact and talent had so often called him to preside over the house of representatives—and who might, perhaps, even against the power of party, be now elected to that place if a member of the body, because of his extraordinary fitness for the honorable and arduous station—whose rank as an orator is in the first line—if he is not, "take him all in all," the ablest and most eloquent public speaker of the present times, whether in the United States, or elsewhere——and *Dr*. Clay, *Doctor* Clay, was said and sung a million of times, by noisy fools who affected much pride in remembering *Doctor* Franklin as one of their countrymen—and who obtained his title in the same way that it was conferred on Mr. Clay, and on the same principles. Well—this degree has been bestowed on ANDREW JACKSON, and it is pretty near a "treason" to call *him* DOCTOR! as a few have called him in reprobation of the act; because that the modesty of general Jackson's pretensions to a knowledge of the *civil law* were highly creditable to him in times past, for he retired both from the bench and the senate for the reason that the duties of a judge or of a senator were unsuited to the bent of his inclination, and when a second time sent to the senate in 1822, he freely stated that the "business of legislation was not in his line." But why not DOCTOR *Jackson* as well as *Doctor* FRANKLIN? Is it disrespectful to the former to place him in the rank of the latter? We should think not. But if so—the fault was in *accepting* the complimentary degree. When Mr. *Ritchie* refers to his own remarks on the legal knowledge of gen. Jackson, because of his opinion expressed concerning the "second section," we wonder what that venerable Obsta Principiis will say about this LL. D. "*Nous verrons!*" Let the veteran make a new pen, and nib it sharply.

With respect to this *doctoring* of the president various opinions are entertained, and some have pretty severely reproved the faculty of the university on account of it. But the compliment had been paid to every president of the United States who ever visited Boston, and to have omitted a tender of this courtesy, on the present occasion, would have subjected the faculty to much reprobation; and it would have charged upon Mr. *Quincy*, who is at the head of the faculty, as the result of his old *federal* feelings, &c. Besides, general Jackson had just been re-elected by a large majority of the American people—and an individual thus preferred, in due regard to our own republican institutions, should be, and must be, accepted, as possessed of some eminent qualifications for the most honorable office in the world. It is the right of every man to question the propriety of every measure proposed or carried out by the president, and his duty to place himself in opposition to every proceeding which he thinks in enmity to the general welfare; but it is also, and equally, his duty to render respect to the choice of the people, in his public character, and yield obedience to the laws of the land, enacted by the legal authority. Without the former, our government would, in fact, be a monarchy; and without the latter, "*nullification*" would be made perfect. Under such circumstances and views of the subject, we easily arrive at the conclusion—that the university of Cambridge was altogether correct in tendering the highest compliment which it could bestow on the *president*—and that if there was any wrong in this matter, it was in general *Jackson's* presenting himself at the university that he might receive it; and, therefore, his friends ought not to be offended with the application of a title to him which he voluntarily placed himself in the way to receive—which he might have easily declined, if it had pleased him, on any account, to have avoided. Those, however, who complain of the use of "Doctor Jackson," when speaking of the president, would "feel a little red," if blushing were not out of fashion, when recollecting what they said about "Doctor Clay"—on whom all men will agree that that particular compliment was rightfully conferred, because of his knowledge of the civil law. The contests of political parties have had no effect on that knowledge, unless to increase it; and besides, Mr. *Clay* did not present himself to receive the degree, as general *Jackson* did.

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In the contest for the [illegible] leading objects of the latter *(as stated by them)*, was to produce "reform," by rotation in office, and limit the presidency to a single term—and they broadly and unanimously asserted, and on high authority too, that general Jackson, if elected, would certainly retire at the end of four years. We shall not recapitulate the strange things which occurred to do away the "commitment" that had been made—but, a long time before the expiration of the four years, it was regarded as settled, that president Jackson would be a candidate for re-election—things not being then ripe for the succession. If they had, we have many good reasons to believe that he would not have been preferred by *the* party.* And even now, because that the succession is not clearly discerned, some think that he ought to resign immediately after opening the next session of congress, and others suppose that he should be elected a *third* time!

There is all the difference in the world between the *outs* and *ins!* The first always wish "rotation in office" and "reforms"—the second firmly believe that "very well should be let alone." And it must be admitted, that it is a "snug" thing to have an office, worth more than two or three thousand dollars a year (including the "candle-ends and cheese-parings"), without any necessity of being present to perform its duties ten times in a year, except to sign some *official* paper, which "Uncle Sam" pays a clerk to make out—and about which the signer "knows no more than a horse does of algebra," except that he has signed a paper, said to be for this or that purpose—a monthly return or charge for *extra services!* There are sundry places so held. Who does not desire such a "situation?" It is *otium cum dignitate*, in the most beautiful style!

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During the excitement of the last presidential election, we saw a brisk altercation, which nearly resulted in a fight, because a person offered a large bet that president Jackson would not serve out his second term—if elected. The *why* and *wherefore* such an opinion was entertained, was imperiously demanded—but firmly refused. And now, many persons, and perhaps, the very gentleman who was so "indignant" on the occasion referred to, throw out the idea that the president will pretty soon resign the reins of the government to Mr. *Van Buren*, and retire to Tennessee—because of ill health, or for some other reason that may be assigned.

NAVY OF THE UNITED STATES. Vessels belonging to foreign stations—

*Mediterranean*. Frigates—United States, Brandywine† and Constellation. Sloop—John Adams.

*West Indies* Sloops—Vandalia and St. Louis. Schooners—Grampus, Shark and Porpoise.

*Coast of Brazil and India*. Sloops—Warren, Lexington, Peacock and Natchez. Schooners—Enterprize and Boxer.

*This fact is not slightly suggested.

†Just arrived at New York.

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*Pacific.* Frigate Potomac. Sloops—Falmouth and Fairfield. Schooner—Dolphin.
*Navy department, June 29, 1833.*

SHIP BUILDING. A very large number of first class of ships have been built at Baltimore within the last 12 or 18 months—some of them for eastern merchants, and intended for packets, whale ships, &c. One of 500 tons, owned at New York and Sag Harbour, and called the *Daniel Webster*, was launched last week.

THREE STEAMBOATS BURNT. The "Louisville Advertiser" of the 22d June, received this morning, contains the following:

*Fire.*—About ten o'clock last evening, the steamer Sentinel took fire while at the wharf in front of this city. The flames spread with such rapidity that in less than ten minutes the Delphine, above, and the Rambler, below, were also on fire, and the three boats were burned in about an hour to the water's edge. The Sentinel had a full freight for N. Orleans, the Rambler had on board several hundred barrels of whiskey, and the Delphine had just received about twenty tons freight from New Orleans for Cincinnati.

The engines, greatly damaged, will be saved. The cargoes have been entirely lost. Passengers had barely time to make their escape, leaving baggage, clothing and money on board. There were about twelve steamboats lying in port at the time, and it was with difficulty those on fire were separated from the others.

GIRARD COLLEGE. The corner stone of this splendid estab [illegible] of orphans, ac- of the late *Stephen Girard*—(who set aside two millions of dollars for that purpose), was laid on the 4th of July, in the presence of a great assembly of persons, with appropriate ceremonies, and an eloquent address by *Nicholas Biddle*, esq. chairman of the board of trustees.

A GOOD SIGN. The Charleston Courier of the 29th ult. says: "Yesterday being the anniversary of the battle of fort Moultrie, was celebrated by the firing of a national salute at day light, from the citadel, and by a detachment from the regiment of artillery. Another national salute was fired, at meridian, from fort Moultrie. The *Star Spangled Banner* was seen waiving over a marquee in front of the citadel. We hail it as a favorable augury, as an evidence of returning patriotism."

STOCK GAMBLING. There have been large operations in the stock of the bank of the United States at New York, within a few days past, supposed to amount to a million of dollars—and there was a great pressure on the money market. Among other things, it was *said* that the president's hasty return to Washington had some connexion with a speedy removal of the United States' deposites! These are not large enough (even if removed), to have any material effect on the business or state of the bank—at present!

In consequence of the demand for money, the stock fell one per cent. on the 3d inst. at the shops of the jobbers in New York.

THE U. S. BANK, declared, on the 1st, a dividend upon its stock, for six months ending on that day, of three and a half per cent.

WOOL. From the Hampshire Gazette, of July 3—published at Northampton, Massachusetts—

Agents from the manufacturers of Webster and other towns have recently visited this county and Berkshire, and purchased large quantities of wool in Worthington, Peru, Hinsdale, Windsor, &c. Many loads of wool passed through this place last week. We are informed that the prices given range from 47 to 70 cents, and the quality of the wool, from half blood to full blood and Saxony fleeces. We have heard of only two lots that brought 70 cents. What is called full blood merino brought from 55 to 65 cents; much of it was sold from 58 to 60 cents. Such is the information we have received; it may not be entirely correct.

A NOVEL CASE. *Cheng* and *Yang*, the Siamese twins, have been tried in Trumbull county, Ohio, for an assault and battery committed on an old and respectable citizen. The defendants plead guilty, and were *each* fined five dollars and costs.

WATER. The following interesting article is from the New York Gazette.

*Mr. Holt.* This enterprising individual, having for the last six months experienced in his mammoth house, all that he could wish by way of patronage, is now likely to realize his wishes in procuring a supply of pure water, not only for his own establishment, but for the lower part of the city. Late on Saturday afternoon, his drill, having passed through 510 feet of rock, the surface of which was 130 feet below the ground, (making a total depth of 640 feet), sunk suddenly into a depth of water of 2 feet. If he proceeds no farther all his wishes and expectations will be satisfied.

NULLIFICATION. A meeting of the state rights party was recently held in Charleston, S. C. on the occasion of the death of a distinguished member, the late R. I. Turnbull. The hon. C. J. Colcock, after paying a tribute of regard to the memory of his friend, concluded with the following remarks:

"Let me seize on this occasion to say to you that another contest is at hand, and your opponents in full array: you will soon be again called to the field—and all that you have achieved must be done again. The war against the liberties of man is becoming more and more desperate and furious—and the friends of freedom must exert themselves, or we sink forever into the gloom of despotism."

[With this flourish about the "liberties of man," &c. we hope that Mr. C. does not allude to the *dark* colored matter about which some seem so anxious to "kick up a fight."]

MESSRS. RIVES AND GILMER. Because of the public character of these gentlemen, perhaps, we ought briefly to notice an unhappy incident which took place at Charlottesville, Virginia, a few days ago. Mr. *Senator Rives* and *Thomas W. Gilmer*, esq. had been old friends—they differed about nullification, and the principles of the president's proclamation—Mr. Rives supporting, and Mr. Gilmer opposing the latter. They unfortunately met, and, after some conversation, Mr. Gilmer inflicted *"the lieutenant Randolph outrage"*—or seized the nose of Mr. Rives, and afterwards struck him. The latter promptly made battle, but had rather the worst of it, being the weaker man.

GOOD NATURED REMARK AND REPLY! The "Pennsylvanian" says—"The *New Hampshire Patriot* persists in asserting that we are corrupted by the United States bank. Is the Patriot a fool or a fiend?"

[illegible] "We have never said [illegible] States bank, and we much doubt whether that editor's political principles *are not past the process of corruption.*"

WOOD-CHOPPING SENATORS! Speaking of Mr. *Webster*, the Cincinnati Gazette says—This gentleman proceeded from Chillicothe to Circleville on Monday, June 24, and from there to Lancaster on Tuesday. We subjoin an anecdote of the journey from Chillicothe to Circleville, as related in the Circleville Herald.

As Messrs. *Webster* and *Ewing* were wending their way to Circleville, when about seven miles from the town, their passage was intercepted by a tree, which had recently fallen across the road, and which an honest yeoman was leisurely cutting out. They surveyed the premises, to see how the difficulty might be overcome. Our knight of the axe, not knowing either of the distinguished senators congratulated himself on the timely arrival of two such hale and able bodied men to his assistance; and very frankly advised them, as the best means of escaping the difficulty, to get down from their carriage, and aid him in the removal of the obstruction. Pleased with the republican plainness of the suggestion, and finding the man's strength inadequate to the task in hand, they followed his advice. Mr. Ewing first took the axe, and wielded it with effect as he does his arguments in the senate and at the bar. He was relieved by Mr. Webster, who was less familiar with chopping logs from the road, than with removing the obstructions of chop logic from the wheels of government. His efforts were so labored and ineffectual, as to attract the notice of the woodsman, who declared to him, "you are not doing your best now, sir!—you must be *playing the possom!* You don't bend your back enough, sir." The tree cut off and the way cleared, our travellers resumed their journey—and left the countryman blessing his stars that they had been directed that way, (which was off the main road,) at that propitious hour.

LIVERPOOL AND MANCHESTER RAIL ROAD. *Results.*—170 passengers per day has been the average.

It has not been out of use a single day.

Only one fatal accident has occurred in 19 months.

The fare by coaches used to be double of what it is by rail road cars.

The time of going betwen the towns reduced from 4 to 1¼ hours.

A regiment of soldiers has been taken over the road in two hours.

The locomotives travel *safely in the dark!*

Goods average about 10s. per ton for carriage. On the canals they pay 15.

The Manchester cotton manufactures save $100,000 per annum, in the carriage of cotton alone.

A great deal of land along the line has been let for gardens, at increased rents.

There is much way-travel.

The mails are carried at two-thirds of the old prices.

"A MIGHTY FLOOD." The late advices from Arkansas (says the National Intelligencer) bring distressing accounts of a flood in the river of that name, the river having risen three feet higher than ever before remembered. The consequence is, that the plantations are deluged all along the river, and not only the entire crops swept off, but even the land itself, in some instances, washed away. The roads were flooded on all the levels, and travelling consequently entirely suspended. Many lives, also, it was feared, had been lost. One or two bodies were said to have been discovered in the torrent of the river, passing Littl e

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Rock. The following particular incident gives one a fearful glimpse of the awful reality of the disaster:

*Little Rock, June 19.*

The steamboat Arkansas, in coming up on Friday last, was beckoned to by a female, who appeared to be in a tree top near the shore, about 20 miles below this place. The current being very strong, it was some time before the boat could be rounded to with safety, during which the woman was lost sight of; and when they again came in sight of the place where she stood, she had disappeared. It is supposed she was drowned, as the banks appeared to be too much inundated for her to have retreated into the woods. [*Gazette.*

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RAIL ROAD ACCIDENT—*at Brussels.* On the rail road between Phillippeville and Charleroi a serious accident has occurred in consequence of a train of carriages, containing upwards of 50 passengers, having been imprudently detached from the locomotive engine employed in towing them up a considerable acclivity. A stone had been placed behind the wheel of one of the carriages of the train for the purpose of impeding their descent, and this stone having by some accident been removed, the whole train was set suddenly in motion, and by the force of its own gravity was carried over a precipice eight or nine yards in depth. Three of the passengers were killed on the spot, and a great many others were wounded more or less dangerously. No fault, however, is ascribable either to the engineer, M. Cochaux, or his machinery, which is said to do [illegible] the inventor, and to be such [illegible] the arrangements [illegible] proposed rail road, which, when completed, is to establish an easy and rapid communication between the Scheldt and the Rhine.

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RAILWAY EXPERIMENT. An experiment of very great importance to railways has been tried with much success upon the railway of the Lowe, the construction of which was under the direction of Messrs. Mellett & Henry. A locomotive engine manufactured by Messrs. Fenton, Murray and Jackson, of Leeds, employed upon this railway for the transport of goods, has travelled with a weight of 15,000 kilogrammes, or fourteen tons nearly, including the weight of the engine, tender, water and fuel, *and has surmounted an inclined plane of a rise of 4½ in 100,* with a velocity the more surprising, as the pressure of the steam did not amount to more than 38 pounds upon the square inch. The inclined plane is 2,184 yards nearly in length, and the engine ascended it in six minutes, and descended it immediately with great ease and in perfect security by regulating the velocity of the descent. The power of the engine was only applied to one pair of wheels, and they did not slip round in the least. This experiment has far surpassed any which has come to our knowledge, and which has been made up to this day; for the experiment attended with the best results which have been tried in England, is that upon the inclined plane in the tunnel at Liverpool, the rise of which is only one in fifty, that is to say, four ninths of the rise of the inclined plane at Bernard, where the trial took place. Up to the present time it has been thought that the maximum rise of an inclined plane upon which an engine could possibly travel ought to be ten millimetres in one metre, that is, one in one hundred, or at most fourteen millimetres in one metre, that is, one in seventy-eight! The above trial, however, increases much this maximum. The inconveniences arising from the employment of stationary engines will be completely done away with, should they give place to locomotive engines, since the train of diligences can, through the mechanical agency of the latter, overcome the inclined planes.

[*From Le Noveau Journal de Paris et des Departmens.*

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CANADIAN CANALS. *Welland canal.* The first vessel entered the Welland canal, at Port Colborne, up lake Erie, on the 20th May, and in nine days after the collector reported thirty-eight schooners having passed through the new route without impediment. The canal is in full and effectual operation, and much more business doing upon it than was anticipated by its best friends. The American steamboat *Persecerance* runs daily from Buffalo to the Chippewa, and on Friday afternoon entered the canal by the locks at Port Robinson, proceeded across the aqueduct over the Chippewa, and through the new route over the Gravelly Bay, (Port Colborne) and thence shot across to Buffalo! The harbor at Port Colborne is pronounced by all the masters of schooners, as the very best on lake Erie, and the steamboats will in future land all passengers and light goods at Port Colborne, to be brought by the packet boats to Port Robinson (11 miles) and there by coaches to the falls (6 miles) or to St. Catharine's or Niagara, saving thereby 30 miles in lieu of coming round by fort Erie. [*Kingston Chronicle.*

*Rideau canal.* We have at last the pleasure to announce the opening of this important line of communication. The new steamboat *Enterprise*, built at Perth, after passing through the Tay canal into the Rideau, to reach this port yesterday, where she awaits the arrival, from Oswego, of her engine—manufactured at Syracuse. We had this interesting evidence of the resources of a region of country, but a few years ago a pathless wilderness.

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BRITISH DUTY ON COTTON—*official, from the Globe.* The following bill, communicated to this government by the charge d'affaires of the United States in Great Britain, received the royal assent on the 17th May last, and has accordingly become a law of the relam.

*A bill to reduce the duty payable on cotton wool imported into the United Kingdom.*

*Whereas* an act was passed in the first and second year of the reign of his present majesty, entitled "an act to discontinue or alter the duties of customs upon coals, slates, cotton wool, barilla and wax:" *And whereas*, it is expedient to reduce the duty on cotton wool thereby imposed, be it therefore enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that from and after the first day of June, one thousand eight hundred and thirty three, there shall be raised, levied, collected and paid, for and upon every hundred weight of cotton wool, the produce of any foreign country, or imported from any foreign country, a duty of two shillings and eleven pence, in lieu of the duty of five shillings and ten pence imposed by the said act.

*And be it further enacted*, That the said duty shall be raised, levied, collected, paid and appropriated, in like manner as if the same had been imposed by an act passed in the sixth year of the reign of his late majesty, king George the fourth, entitled, "an act for granting duties on customs."

*And be it further enacted*, That this act may be amended, altered or repealed by any act to be passed in the present [illegible] of parliament.

BOSTON. *Fires during the last six months*—It will be seen by the annexed statement of fires in the city and vicinity, during the last six months, that the fire department have had a busy season, whatever others may think to the contrary. In the city the number of fires during the six months ending June 30, 1833, was 42; and out of the city, at which the Boston fire department turned out 12; false alarms 21—making in all, 75 turns out. The loss in the city was $40,050, of which $21,760 was insured; the loss out of the city, was $30,700, of which only $3,000, was insured. Loss in all $70,750; insurance $23,760. During the twelve months of 1832, there were only 50 fires in the city; 18 out, at which the department turned out; and 60 false alarms. Loss in the city, $61,863 34, of which $24,078 34 was insured; out of the city, $25,650, of which $12,300 was insured. Loss in all $87,513 34; insurance $36,378 34. From this it appears that there were only 14 more actual fires in 1832, than in half of the present year; and that the amount of damage was only $16,763 more in 1832 than in half the present year.

[*Patriot.*

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SEA SERPENT AGAIN. The schr. Charles, of Provincetown, Jacob Cook, master, James M Needham, mate, arrived here this morning, reports that yesterday, between 11 and 12 o'clock, when about one and a half miles east of Nahant, he heard a tremendous rush of water, and on looking out, saw at about 300 yards distance, an immense serpent, lying in the shape of a hoop. The circle was large enough for his schooner to lie in. It suddenly stretched itself out and appeared to be 60 or 70 feet in length, resembling a string of casks. All hands had a distinct view of it for "nearly an hour." Capt. Cook had a good glass, and could plainly distinguish the line of the serpent, with its "humps and hollows."

Captain Cook has always been an unbeliever in the sea serpent story. He has followed the sea for twenty years—been a number of whaling voyages, and never saw any thing similar before. He says that had he been fitted for a whaling voyage, he would not have hesitated to have got out his boats and harpooned him. He was within gun shot, but unfortunately had no fire arms on board. [*Boston Transcript.*

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It would seem that not one, but three or four veritable sea serpents have made their appearance off Nahant. The following account of them is from the Portland Advertiser of the 6th instant. The steamboat will now doubtless make her trips with crowded decks:

*The sea serpents and the steam boat.* The steamer Connecticut arrived this morning later than usual, having been employed for about an hour in chasing a shoal of sea serpents. About six o'clock last evening, a schooner off Nahant, hailed the Connecticut, and told captain Porter that if he would look out, he might see the sea serpent, for "he bore east of Nahant." The Connecticut steered accordingly, and very soon, not one sea serpent alone, but three, some say four, appeared in sight. All the passengers saw these monsters of the deep with their own eyes, distinctly and clearly.

One of the passengers who had a good view, says, that one of the serpents was one hundred feet in length—with a head partly in the form of a snake, and partly in the form of a pickrel. Some say this largest serpent, was yet longer. Another of the serpents was judged to be about 90 feet long. One threw his body out of water about 50 feet in a spiral undulatory motion, which formed at times upon a calm sea, a beautiful dark arch. During a portion of this time, one of the serpents was thought to be distant about 28 rods. And before and after his near approach, they could be seen for some time with a glass. The serpents seemed to enjoy the sport, and played around the boat for some time, perhaps they took it for another "*sarpent*" in or on the deep—and were seeking an introduction.

Of all these facts, we are informed by many persons, verbally by one, upon whom we can rely—and who has hitherto been credulous enough. We do not, we cannot doubt the testimony

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of so many persons, in a steamboat upon a quiet sea—with the power of stopping and following the objects of their curiosity whithersoever they pleased.

*From the Boston Post of Monday.*

*The sea serpent, in verity.* Extract of a letter to a gentleman in this city:

"*Portland, July* 6.

"*Dear sir*—I arrived in safety this morning, at 8, having passed an hour or more yesterday afternoon among a shoal of *sea serpents, three* of which, measuring from 80 or 90 to 120 or 130 feet, I distinctly saw with the naked eye, and afterwards carefully examined through a glass. They were lying full length on the water, occasionally lifting their heads four or five feet above the surface and showing twenty or thirty bunches, or snake-like undulations, at a time. Their heads bore a resemblance to the pickerel's, and the crease of their mouths, marking the division of the jaws, was like that of a common snake. The engine of the boat was stopped, and for three quarters of an hour we had a cool and deliberate view of these monsters. Such ill looking objects I never beheld."

☞Since the above was received, we have conversed with several people who came up in the Connecticut yesterday, and they all state that they saw, about 10 o'clock yesterday morning, a little below Nahant, three or four of the serpents, one of which [illegible]

RHODE ISLAND. It appears by the Providence Journal [illegible] the Rhoda Island legislature in acting upon an anti-masonic memorial praying that "the masonic corporations should be cited to appear and shew cause why their charters should not be declared void," hava passed a resolution calling upon masonic bodies—not to shew cause why their charters should not be declared void, as has been erroneously stated in some of the Boston papers but—"to appear at the next session and shew cause why tha prayer of the petitioners should not be granted; or, in other words, to shew cause why they should not be called upon to defend their charters."

EXTENSIVE LEASE. Gen. Leonard P. Crary, of Buffalo, has taken the lease of a lot of land 94 feet front and 118 deep, immediately south of the Eagle tavern on Main street, in that town, for a period of 999 years, at a yearly rent of $600. It is the condition of the lease that a block of brick buildings is to be erected covering the front, of at least three stories high. Gen. Crary has been offered $1,200 for his bargain. We mention this as an estimate of the value of real estate in the business parts of the city. [*Buffalo Jour.*

[At the commencement of the war in 1812—23 years ago—Buffalo was a spot in the wilderness, and seemingly almost without the pale of civilized life. The lease of the lot above mentioned will shew what it is now, and what it is expected to be. It *must* become a great city. Its location is one of the most commanding in the United States. It is at the foot of the open navigation of our inland seas, and the terminating point of the great Erie canal.]

MR. BERRIEN. A public dinner was given to this gentleman at Forsyth, Georgia, on the 20th ult. at which from 500 to 600 persons were present. On being toasted, he addressed the meeting—but we have not seen a report of his speech. He concluded by offering the following sentiment:

The perpetuation of the union and the sovereignty of the states of the confederacy—the one perfect, according to the spirit of the constitution—the other efficient to resist every violation of it. Save us from alarmists, consolidationists and office hunters; and the problem which reconciles federal union with state sovereignty, though difficult of solution, may yet be solved.

The following were among the regular toasts, and the character and spirit of the dinner party may be gathered from them.

The federal constitution—a covenant of union between free and sovereign states, each of which in virtue of its sovereignty, is possessed of the right of preventing, within its limits, all exercises of power not stipulated by that covenant; and each of which ceases to be free in precise proportion as it succumbs to federal arrogation of undelegated power.

The right of state interposition against federal encroachments—it is the great paramount conservative right, without which all the other rights of the states are merely precarious, and held at the will of the federal head. In proportion to its transcendant importance, ought we to be at once firm in maintaining it, and discreet in putting it in exercise.

The force bill—an act of legislation by which our confederate government has assumed to put the sovereign states composing the confederacy on the same footing, subject to be dealt with in the same manner, as bands of insurgents and outlaws. An outrage which, unless rebuked and repaired by the stern indignation of a free people, must end, in the long run, in consigning the country to consolidation and ruin.

THE COAL TRADE. The western part of Philadelphia, bordering on the Schuylkill, now has a considerable population, and much business. It is probable that the value of lands and lots has been increased several millions of dollars, in western Philadelphia, because of the coal trade; and the bustle which it causes may be partly esteemed from what follows:

The floating bridge at Gray's ferry, (over the Schuylkill) was opened in the year 1816 six hundred times in the whole year. In the month of June, 1833, it was opened *three thousand two hundred times!* Surely it is time that the river was free—that the bridge was bought by the state, and that a steamboat was kept for passengers, as in the Delaware. Many hundred of eastern vessels now come direct to the river Schuylkill, laden with lumber, with plaster of Paris, and with fish, whence they depart with cargoes of anthracite coal.

[Three thousand two hundred times in a *month*, against six hundred times in a *year!*—and this increased trade on the Schuylkill has not diminished that on the Delaware front, but added to it—as any new *creations* of business must needs do.]

FLORIDA. The bank of Florida has, we understand, (says the Apalachicola Advertiser), been purchased by the Central bank of Florida. The business of both is now blended, and will be hereafter conducted by the last named institution, at the banking house of the former, in Tallahassee.

Col. *White* is re-elected to congress, beating gen. *Call* by a considerable majority.

THE CAPE DE VERD ISLANDS. The inhabitants are still suffering for the want of food—and many more have died. It is estimated that more then thirty thousand have perished by famine! The "mother country" affords no relief.

[illegible]!" A foreign journal relates the following strange story, at the same [illegible]ing for its authenticity: "A short time ago, the king of Naples requested the young queen (a daughter of the late king of Sardinia) to sit down to the piano, at a little court *soiree*. The queen at first declined, but at the king's urgent solicitation, she at length consented. Just as she was about to seat herself at the instrument, the king drew back her chair, and the queen fell. On rising she reproached his majesty for this ill-mannered joke, observing that she thought she had married a king, but that she had only married a *lazzarone*. The king's *reposta* was conveyed in two smart *soufflets*. In consequence of this conjugal misunderstanding, an exchange of couriers has taken place between the courts of Naples and Sardinia. The result has not yet transpired."

A DUEL was lately fought with *muskets*, near New Orleans—the result of which is thus given—

The one to whom it proved fatal (and who was the challenged, and, it would seem, the aggrieved party) was a highly respectable young gentleman, formerly a resident of New York. The letter adds that the other party was informed by the surgeons that he must submit to amputation in *both limbs* as his only chance of recovery; but that choosing death in preference, he had been attacked with lockjaw, and was expected to survive but a few hours.

CHURCH COURTESY. The following communication addressed to the Boston Atlas, has been sent to us with an implied request for its republication. If the rebuke is without foundation, the sarcasm will be unfelt.

"The occupiers of pew No. 56, (middle aisle), in the rev. Dr. Lyell's church, Anthony st. are informed, that if they ever go to Christ church, in the city of Savannah, Georgia, and take seats in No. 58, they will not be turned out thereof, as myself and family were on the morning of the 9th inst."

*Mr. Editor:*—The above notice is taken from the New York Enquirer. If the fact be, as above stated, (and I have no doubt of it, having experienced a little of the same politeness), it deserves a public notice, and I wish to add the following:

If any gentleman occupying the pews in the middle aisle of St. Thomas's church, Broadway, New York, from the entrance to the twelfth pew, ever enters St. Paul's church, Boston, he will find no locks on the pew doors; and further, he will find that we do not allow strangers, with ladies, to stand in the aisles more than ten minutes, and that we do not suffer them to leave the church without offering them seats, particularly when the pews are but half filled. [*Com. Adv.*

GALLIPAGOS ISLANDS. An establishment has lately been made on Charles island, one of the Gallipagos group, under authority of the government of Ecuador, at which whale ships and others will be furnished with supplies. The colony consists of about 200 persons—and Joseph Villasmil, a native of New Orleans, though long resident abroad, is the governor. The establishment is called Floriana.

FRENCH ROUGING. Dr. Franklin, in one of his familiar letters, dated in 1767, said—"As soon as we left Abbeville, the swarthiness returned. I speak generally; for there are some fair women at Paris, who, I think, are not whitened by art. As to rouge, they don't pretend to imitate nature in laying it on. There is no gradual diminution of the colour, from the full bloom in the middle of the cheek to the faint tint near the sides, nor does

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it show itself differently in different faces. I have not had the honor of being at any lady's toilette to see how it is laid on, but I fancy I can tell you how it is or may be done. Cut a hole of three inches in diameter in a piece of paper; place it on the side of your face in such a manner as that the top of the hole may be just under the eye; then, with a brush dipped in the color, paint face and paper together; so when the paper is taken off, there will remain a round patch of red exactly the form of the hole. This is the mode, from the actresses on the stage upwards through all ranks of ladies, to the princesses of the blood."

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The traitor Arnold. At the close of the revolutionary war, Arnold, the traitor, accompanied the royal army to England. The contempt that followed him through life, says an elegant writer, is illustrated by the speech of Lauderdale, who, perceiving Arnold on the right hand of the king and near his person, as he addressed his parliament, declared on his return to the commons, that however gracious the language he had heard from the throne, his indignation could not but be highly excited at beholding as he had done, *his majesty supported by a traitor*. And on another occasion, lord Surry, rising to speak in the house of commons, and perceiving Arnold in the gallery, sat down with precipitation, exclaiming, "*I will not speak while that man*," pointing to him "*is in the house*." This miserable outcast died in London, June 13, 1801. [*Boston Atlas*.

Cotton seed oil. A correspondent of the New York Courier gives the following account of this oil: It is as limpid as water, I have seen it burn, and no one can discover a difference between it and the best lard winter strained oil; for machinery, it cannot but be superior to olive oil, being perfectly free from glutinous particles; as a paint oil it has properties beyond the common linseed, the oil cake is more nutritious for cattle than linseed oil cake, and the sediment makes the *best of printing ink*.

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Flour inspections. The "Alexandria Gazette" gives us the following account of the operations in flour, in that city, during the past year:

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|---|---|---|---|
| Stock of flour remaining on hand July 1st, 1832, | | *bbls.* | 4,241 |
| Quantity inspected during the year ending June 30th, 1833, | | | 137,006 |
| | | | 141,247 |
| Exported during the year: | | | |
| Coastwise | 65,692 | 116,407 | |
| Foreign | 50,715 | | |
| *Baked in town and consumed in town and the neighborhood, | | 18,340 | |
| | | | 134,747 |
| Estimated stock remaining on hand June 30th, 1833, | | | 6,500 |

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Slaves in the British West Indies. *From the Kingston (Jamaica) Courant*. Let us just suppose that the omnipotence of parliament is to be brought into play, and that a bill will pass the imperial legislature, declaring our slaves free—how are its enactments to be carried into effect in the W. Indies? We would say the thing is impossible, and the effect might be most disastrous. The West India merchants, we are satisfied, would shut their stores, the planters their mill houses, and the business of the country would be at a stand, and the slaves themselves left, at a moment's warning, without the means of existence, and all this to gratify the feelings of a few fanatics in the mother country. It is not necessary for us to point out what would be the consequences of such measures. The West India merchants, whose property has been embarked in the soil, on the security of slaves, will be sacrificed, and English annuities will be involved in the general ruin. As we shall have no crops to ship, we shall not require, neither shall we be able to afford, the means of existence to the artisans of Birmingham, Sheffield, Manchester, or Glasgow. We shall require no supplies of osnaburghs from Dundee, or pennistons from Halifax; and, in every view we can take of the case, we see nothing but ruin staring the mother country and colonists in the face; and woe be to the former when the British islands of the West India Archipelago, are severed from the parent state.

## BRIEF NOTICES.

At the silver mine of Konigsberg, a wonderful gallery has been pierced through the side of the mountain at the depth of 600 feet, through which the ore is now transported, instead of being hoisted to the top. Its length is 6,000 feet, and it occupied 23 years in its completion. The process was most tedious, being entirely by calcination and hammering, which brought the rock off in flakes. Only two men could work at a time; it was commenced both internally and externally, and it is much to their credit that upon meeting there were only two or three feet difference in the level, and none in the direction. It is from six to seven feet wide, and from ten to fifteen high.

*20,000 is usually estimated for the consumption; the reduction we attribute to the effects of the cholera last fall.

A coachman in England was lately kissing his favorite horse, when the animal, wishing to return his fondness tenfold, bit off his nose and swallowed it—kissing goes by favor.

Prince Czartoryski, a Polish exile in London, is reported to have once had an income of £70,000 per annum, all of which he lost in defence of his country—his wife died of grief, and his children had been shot one by one in battle.

Among the recent deaths at Boston, we notice that of Mr. Richard Taylor, of Yarmouth, at the age of 92. While at dinner, in a hotel, he took a piece of meat in his mouth, which in the attempt to swallow choaked him, and he died in 10 minutes.

There is a mother and four of her daughters resident in the town of Northampton, Mass. who have been collectively married seventeen times. The mother and one of the daughters, each four times—the three other daughters three times each.

It may be mentioned as a rarity, that several highway robberies have been lately committed on the Cove mountain, near McConnellstown, Pennsylvania. Many persons had turned out to scour the country, but the rogues were not yet caught.

The British government has established an agency at Liverpool to give gratuitous assistance to persons repairing to that port with the design of emigrating.

About 140 emigrants have arrived at Little Rock, Arkansas, direct from Germany. They are accompanied by baron de Coentge and count Grolmnn, who appear to be their leaders.

A rattlesnake was lately killed near Fort Smith's [illegible] whose length is not stated. He carried *fifty-four* rattles, and a button (the terminating rattle) measuring 12 inches in length.

Figs, of the first quality, are grown at Mobile.

Com. Chauncy, transferred from the navy yard at Brooklyn to the board of navy commissioners at Washington, was complimented with a public dinner by the officers on the Brooklyn station.

The Delaware 74, being new coppered, &c. was taken out of the dry dock, at Gosport, on the 1st instant. Every thing has "worked" admirably.

A steamboat is now plying on Lake Winnipiseogee, and making regular trips between Alton Bay to Centre Harbor. This beautiful lake is in New Hampshire, at a medium length of 20, and breadth of 8 miles, but very irregular in its form, and abounding with islands.

A few tons of Tioga (bituminous) coal have been brought to New York. The coal fields are inexhaustible, and large supplies are soon expected via the Chemung and Erie canals.

More than one hundred thousand tons of coal have already descended the Schuylkill and arrived at Philadelphia, in the present season, in 2,316 boats!

The "Camden and Amboy rail road and transportation and the Delaware and Raritan canal companies," paid to the treasurer of New Jersey, a few days ago, the sum of $15,000 for the first 6 months running passengers, &c. via said rail road, being the half yearly payment of the $30,000 stipulated by said companies to be paid to the state of New Jersey, for privileges granted. [*Emp.*

It is stated in the Doylestown Democrat, that one day last week, ninety six boats passed through one of the locks of the Delaware canal, in that county.

The latest statement of the Moravian brethren makes the whole number of their sect, dispersed over the globe, to consist of no more than 16,000 members. Notwithstanding this, they maintain 127 missions for conversion of the heathen, at an annual expense of 60,000 dollars.

Some days ago a haul was made in Great Egg Harbour bay, near Bearsley's point, Cape May, at which 218 drum fish were caught, their entire weight being from 8 to 9,000 pounds. This is said to be the largest haul of this description of fish ever made in that bay.

A stout, good looking black fellow, recently took passage, at Baltimore, in the steamboat Kentucky, for this city. Before the boat reached Chesapeake city, it was discovered that he belonged to a gentleman of Maryland, and was endeavoring to make his escape from the bonds of slavery. An effort was made by the captain to place him in confinement, but the slave with one bound sprang into the water, and swam vigorously towards the shore. A boat was lowered in pursuit, but before it reached him he sank, and rose no more. [*Philad. Gaz.*

Colonel Thayer has arrived in Boston from West Point. He comes (says the Daily Advertiser) to direct the construction of the fortifications for the defence of this harbor, involving an expenditure of rising $1,200,000. The completion of these works will add to the many obligations the country already owe him for his long and successful direction of the useful institution, the superintendance of which he has just resigned.

A trader in bees, during the last month, carried safely several boxes of hives from Kennebeck, in Maine, to Quebec. He travelled during the night, and set his bees out during the day to feed and continue their work, which they did with their usual activity and regularity.

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## FOREIGN NEWS.

*From London papers to the 31st May, inclusive.*

GREAT BRITAIN AND IRELAND.

The question concerning the renewal of the charter of the bank of England engages much attention. There were various rumors in circulation on the 31st of May, respecting the terms which have been agreed upon between the directors and the ministers. The Times gives the following outline as that which is entitled to the most attention:

1. A new charter for 10 years from the expiration of that now existing to be granted.

2. The old monopoly to continue, so far as regards the number of partners in private banks, which is not to exceed six, and joint stock banking companies, which are not allowed to be formed within 65 miles of London.

3. Bank of England notes to be declared a legal tender to any amount for the purpose of banking in the country, and gold only to be demanded for them either at the bank of England, or at the various branch establishments in the country.

4. A portion of the debt of the government to the bank amounting to £3,500,000, to be paid off.

5. The payment of the dividends and the management of the other public business to continue with the bank, but a deduction of £100,000 to be made from the remuneration at present assigned for that purpose.

6. Country bankers will be allowed to circulate bills of exchange, at present not permitted below £50, as low as £20, or, as some say, £10 only.

7. No legal rate of interest to be fixed on bills of exchange not [illegible] three months to run.

[illegible] ment on the state of the bank issues, the quantity of bullion, &c. which will be published in the *Gazette* once a quarter, or oftener as the government may see fit.

*London, May* 31. The house of commons yesterday, on motion of Mr. Stanley, went into committee of the whole, on the subject of colonial slavery, and at one o'clock rose. On the question of reporting progress, lord Althorp stated that the further debate of the subject must take its chance on the — for this day, after the discussion of the bank charter.

The Times, in reference to this debate, remarks—We cannot omit to state the chief modifications which Mr. Stanley has introduced into his original resolutions. We always objected, be it remembered, to that part of his project which imposed upon the negro the necessity of paying for his own emancipation by appropriating the fruits of the one-fourth part of his toils rescued from his master during his apprenticeship for that purpose. The planters were equally averse to defray the interest and redeem the principal of a sum of money which was intended to indemnify them for being deprived of their former control of their slaves. The right honorable gentleman and the government have yielded to the arguments employed in behalf of the planter and the negro, and now propose to relieve both from the burthen which the former condition of the loan would impose. Who, therefore, is to bear the loss, or to pay the interest and liquidate the debt? The country? No; or at least not the country from its present revenue, or from a revenue unconnected with the colonies. The government propose for meeting the interest of this loan, to raise the duties on sugar from 24 shillings, the present rate to 27 shillings, which they were before 1830. The country, indeed, will still bear the expense, though the revenue will be raised on colonial produce. The question comes to be, whether the additional duty may not, by decreasing the consumption of sugar, neutralize the benefit of the loan to the planter. Indeed, we do not see why a tax which the public is obliged to pay, should be laid particularly on colonial produce, because it is devoted to a colonial object, if that duty would otherwise be impolitic when levied for the general purposes of the empire. But in whatever manner the loan is to be paid, we never had the least hope that it would be redeemed by the planters, and we always felt a strong repugnance that it should be redeemed by the negro.

As a consequence of this change of plan, an important addition will be made to the relief to be administered to the "apprenticed laborer," and we think an important improvement will be made in the project. The laborer will now be enabled to devote his fourth of spare time to his own benefit, and, if so minded, may employ the money accumulated by his wages to shorten his term of apprenticeship.

The West India slave owners, and the mortgagees of the West India property, have mustered in great strength in London, to express their disapprobation of the ministerial scheme of slave emancipation.

We understand, (says the "Sun"), that a deputation of five persons from the West India interest, waited on Mr. Stanley a few days ago, and that the discussion between them and the secretary for the colonies was of rather a violent character. Mr. Stanley is reported to have said, that the government had come to their resolution deliberately, and would adhere to it firmly. If we are to believe the rumor now current, however, there is no intention of passing the details of the ministerial measure during the present session, although the government may insist on establishing the principle. We give this, however, only as the rumor of the day.

In our last paper we mentioned the result of the coroner's inquest in the case of Robert Culley, the police man, killed at the riot at Spitalfields—the jury, the reader will recollect, brought in a verdict of justifiable homicide. This verdict was carried by certiorari into the court of king's bench, and after a long argument was quashed. On the same subject, a meeting of the people has been held, approbating the conduct of the jury. At this meeting, Mr. O'Connell remarked, "that he was so unfortunate as to be able to number thirty five years at the bar; and he should venture to say, (which he did without vanity), that in that time no man had had more experience in the criminal law than himself, and he could safely assert, that the verdict of the jury returned was the only one which an honest and conscientious jury could give on the evidence produced."

This case has produced a great deal of excitement.

The common council of London have voted a piece of plate, of the value of one hundred guineas, to each of the four medical officers attached to the London college of physicians, for their gratuitous services during the prevalence of the cholera in that capital last year.

Parliamentary returns have been just printed of the number of American and British ships entered inwards into the port of Liverpool from New York from the first of January, 1832, which present the following statement:—American ships 68, tonnage 35,403: British ships 23, tonnage 7,178. There were imported into Liverpool last year from the United States 682,038 bales of cotton, of which number 375,567 bales were imported in American, and 206,471 bales in British ships.

*American stocks May* 30. Pennsylvania 5 per cents. 1858, 107½; 5 per cent. 1860, 108½. Ohio 6 per cent. 1850, 114; Louisiana state loan, 105 a 105½: do. Barings, 99½. Mississippi 6 [illegible]

A loan for the state of Alabama has recently been negotiated, to the amount of 3,500,000 dollars, bearing an interest at 5 per cent. from the 6th instant, a portion of which is about to be introduced into this market by Messrs. Thomas Wilson & Co. at the price of 96 per cent. One of the conditions of the contract is, that the loan shall not be paid off earlier than the year 1863. The price of 96 in London, at the present rate of exchange between the two countries, is equivalent to about 104 in New York, which forms, therefore, the real rate at which the loan is taken. The dividends will be made payable either in London or in New York, at the option of the holders of the stock. Besides Alabama, several other states of the American union, as New York, Pennsylvania, Louisiana, Mississippi, Ohio and Virginia, have separate debts, and, so far as the prices are any criterion which the shares of them bear in this country, they all enjoy a considerable share of credit.

*Tithes.* Letter to the editor of the Wexford (Ireland) Independent.

"Facts have come to our knowledge, which convince us that government will proceed immediately for the recovery of the tithes of 1831 in this country, and also, where practicable, in behalf of the parsons, for those of last year, (1832).

"In our county the crusade is continued without the slightest abatement, more especially in the remote districts, and the agents of the parsons, with their subordinates of high and low degree, are reaping a plentiful harvest in the shape of law costs, from the unfortunate beings subject to their unholy sway. The subjoined letter of a correspondent, residing at Tallow, in the west of the county of Waterford, will give a tolerable idea of affairs in that quarter:

"*To the editor of the Waterford Chronicle:*

"DEAR SIR—I am sorry to inform you that the persecution of the poor people, under the tithe system, all through the country, is truly deplorable, and if not put a stop to, there is no answering for the result. I will give you an instance that occurred here on Friday last. About 30 or 40 of the neighboring parishioners of Conna came to Mr. Conway's, agent to Mr. Devereux, of Stradballagh, and tendered him their tithes; but that gentleman refused to take the money unless he got two pounds costs from each, although the poor people were satisfied to go before a magistrate and make oath that they were never served with any order of law, directly or indirectly, either by attorney's letter or otherwise. I understood Mr. Devereux is a very humane man; perhaps, through the medium of your excellent journal this may meet his eye, and be the cause of putting a stop to such a system of oppression. I am, sir, with great respect, VERITAS."

"*Tallow, May* 19.

Yet Ireland, generally, is much more quiet than it has been for a long time—and it would seem that there is a growing disposition to relieve the oppressions of the people.

*From the New York Commercial Advertiser.* A great meeting was held on Monday, the 27th of May, at the city of London tavern, by persons interested in the West India colonies, to take into consideration the subject of negro emancipation, over which the earl of Harewood presided.

On assuming the chair, the noble earl alluded to his own situation as a West India proprietor, and said they were met to endeavor to save their property from spoliation and confiscation. He complained of the proposed law as being worse than a mere deprivation of the property they now possessed, and as being calculated to compel them to incur unproductive expense for twelve years to come. He contended that the clamor against slavery was factitious, and that the petitions were manufactured by a well organized agency in London, and sent down to the

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country for signatures, and in that manner found their way into parliament. He entered into detailed objections to the proposed measures.

Lord Combermere thought that if the proposed measure were allowed to pass by the government, it would inflict evils on the slaves, and ruin upon thousands, both in the colonies and in England.

Admiral Martyn said he was not a West India proprietor, but deplored the effect which the ministerial plan would have in diminishing the revenue and injuring the manufactures of Great Britain. He believed it would involve the loss of the colonies, and that would involve the loss of the navy.

Similar views of the subject were expressed by Mr. G. F. Young, M. P. lord Colville, Mr. Fitzgerald, M. P. Mr. Harman, sir Charles Price, sir M. S. Stewart, M. P. Mr. Bliss, earl St. Vincent, Mr. Malcolm, Mr. Irving, Mr. Colville, Mr. J. H. Palmer, Mr. Lewis, lord W. Poulet and Mr. G. Hibbert. The latter gentleman said that the measure, if carried, would inflict a death blow upon the colonial, commercial, naval and financial interests of the country. He was satisfied that if an inquest could be held upon the colonies by lords Vincent, Nelson, Gardiner, and other distinguished officers whom he had well known, the verdict would be, that the body came to its death by suicide during an interval of mental derangement. (Cheers and laughter.)

Eight resolutions were passed by the meeting in the course of its proceedings, strongly expressive of their conviction of the ruinous consequences, both to Great Britain and the colonies, that would result from adopting the plan which the ministers had proposed.

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Marshal Soult has developed his plan for the reduction of the effective force of the French army, with a reserve. The effective force is to be fixed at 310,000 men, which, added to the reserve of 300,000, and the mobilised national guards, 273,000, will amount to a total of 883,000 men available in case of war.

The ministers seem to have only a slim majority in the chamber of deputies.

There was a report of a great riot among the colliers at Valenciennes—5,000 of whom had assembled and committed many excesses. A large body of troops had marched to restore order.

HOLLAND AND BELGIUM, &c.

*Embargo on Dutch vessels taken off.*

At the court at St. James's, the 20th day of May, 1833, present, the king's most excellent majesty in council—It is this day ordered by his majesty in council, that his majesty's order in council of the 6th of November last, directing that no ships or vessels belonging to any of his majesty's subjects be permitted to clear out for any of the ports within the dominions of the king of the Netherlands until further orders; and that an embargo be laid upon all ships and vessels belonging to the subjects of the king of the Netherlands which then were, or which should thereafter come into any of the ports, harbors or roads within any part of his majesty's dominions; and that the commanders of his majesty's ships of war should detain and bring into port all merchant ships and vessels bearing the flag of the Netherlands, be revoked, and the same is hereby revoked accordingly; and it is hereby further ordered, that the said embargo be taken off, and that all such ships and vessels be permitted to depart with their cargoes to their respective ports of destination; and the right hon. the lords commissioners of his majesty's treasury, the lords commissioners of the admiralty, and the lord warden of the Cinque Ports, are to give the necessary directions therein as to them may respectively appertain.

W. L. BATHURST.

*Convention between his majesty and the king of the French on the one part, and the king of the Netherlands on the other part; together with an explanatory article thereunto annexed. Signed at London, May 21, 1833.*—[TRANSLATION.]

Their majesties the king of the United Kingdom of Great Britain and Ireland, the king of the French, and the king of the Netherlands, grand duke of Luxemburg, being desirous of re-establishing the relations between them as they existed before the month of November, 1832, have for that purpose resolved to conclude a convention, and have named as their plenipotentiaries, viz:

[Here is recited the names and titles of the plenipotentiaries—who having exchanged their full powers, &c.]

Art. 1. Immediately after the exchange of the ratifications of the present convention, their majesties the king of the United Kingdom of Great Britain and Ireland, and the king of the French, will take off the embargo which they have placed upon the ships, vessels and goods belonging to the subjects of his majesty the king of the Netherlands; and all the vessels detained, together with their cargoes, shall be immediately released, and restored to their respective owners.

In like manner, his majesty the king of the Netherlands will revoke the measures taken in his states with respect to the English and French flags.

Art. 2. At the same period the Netherland troops, both of the royal navy and army, at present detained in France, shall return to the states of his majesty the king of the Netherlands with their arms, baggage, carriages, horses and other effects belonging either to the corps or to individuals.

Art. 3. So long as the relations between Holland and Belgium shall not be settled by a definitive treaty, his Netherland majesty engages not to recommence hostilities against Belgium, and to leave the navigation of the Scheldt entirely free.

Art. 4. Immediately after the exchange of ratifications of the present convention, the navigation of the Meuse shall be open to commerce; and until a definitive arrangement shall be made in this respect, it shall be subjected to the provisions of the convention signed at Mentz the 31st of March, 1831, for the navigation of the Rhine, so far as those provisions may be applicable to the said river.

The communications between the fortress of Mæstricht and the frontier of North Brabant, and between the said fortress and Germany, shall be free and without impediment.

Art. 5. The high contracting parties engage to occupy themselves, without delay, about the definitive treaty which is to fix the relations between the states of his majesty the king of the Netherlands, grand duke of Luxemburg, and Belgium. They will invite the courts of Austria, Prussia, and Russia, to become parties thereto.

Art. 6. The present convention shall be ratified, and the ratifications shall be exchanged at London in ten days, or sooner if possible.

In witness thereof, the respective plenipotentiaries have signed their names, and affixed thereto the seals of their arms.

Done at London, the 21st day of May, in the year of our Lord 1833.

(L. S.) PALMERSTON,
(L. S.) TALLEYRAND,
(L. S.) DEDEL.

*Explanatory article.*

It is agreed between the high contracting parties that the stipulation relative to the complete cessation of hostilities, contained in article 3 of the convention of this day, comprehends the grand duchy of Luxemburg provisionally occupied by the Belgian troops. It is moreover understood that until the conclusion of the definitive treaty, of which mention is made in the said article 3 of the convention of this day, the navigation of the Scheldt shall take place on the same footing as before the first of November, 1832.

The present explanatory article shall have the same force and validity as if it were inserted word for word in the convention of this day. It shall be ratified, and the ratifications exchanged at the same time as those of the said convention.

In witness thereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 21st day of May, in the year of our Lord 1833.

(L. S.) PALMERSTON,
(L. S.) TALLEYRAND,
(L. S.) DEDEL.

Very serious disturbances have happened at Antwerp. The office and press of the Journal du Commerce have been destroyed by the populace, and the houses of other persons were attacked. The cause of these things is not distinctly stated.

SPAIN.

Reply of Don Carlos to the king's invitation to swear allegiance to his daughter at the approaching cortes.

My well beloved brother, &c.—This morning, at ten o'clock, Plazaola came to me to say that your minister at this court, Cordova, had requested to know when it would be convenient for me to receive a communication of a royal order. He was answered that twelve would be a fitting time for such a purpose. He returned a few minutes before one, and I immediately saw him. He presented me with an official paper which I read, and having done so, I said that my dignity and my character would not permit me to delay in stating that you were my king and my lord, and besides my brother, and always my much loved brother, further endeared by having shared in all your misfortunes.

You wish to know whether I intend, yes or no, to swear to your daughter, as princess of Asturias. Now, as far as wishes go, you will believe me, because you know me, when I say, that with all my heart would I take that oath, and that nothing would give me greater pleasure than to be the first to recognize your daughter, and to spare you any offence or possible inconvenience which my declining to do so might occasion. But my conscience and my honor do not permit it; I possess rights so legitimate, that I could not divest myself of them—rights which God gave me when it was his pleasure that I entered upon existence, and which God alone can take away, by transferring them to a male child of yours, which I desire so much, it may be even more than yourself do. Moreover, in this I am defending the justice of the rights of all those who are called after me, and therefore I feel myself called upon to transmit to you the subjoined declaration, which I have made with the greatest formality, and addressed to all the sovereigns, to whom I hope you will communicate it.

Adieu, my well beloved brother, and be assured that your welfare will always be the first object of the prayers of your affectionate brother, CARLOS.

"*Declaration.*

"I, Carlos Marias Isidoro de Borbon y Borbon, Infante of Spain, convinced of the legitimate rights which I possess to the crown of Spain, and assured that your majesty has no heir male to the same, do say, that neither my conscience nor my honor permit me to swear to, or recognize, any other than those rights, and this I solemnly declare. To the senor our king, his affectionate brother and faithful vassal,

"THE INFANTE DON CARLOS DE BORBON Y BORBON.

"In the palace of Ramalia, the 20th of April, 1833."

POLAND.

A Berlin article of May 14, says—"It seems that new fears are entertained respecting the maintenance of tranquillity in

Poland. The Russian government has received information from Paris, that a conspiracy has been formed to make a fresh attempt at revolutionizing that country. It is even said that letters have been intercepted, in which a plot has been discovered against the life of the emperor Nicholas. This last report wants confirmation. The emperor Nicholas has postponed his journey abroad, because the affairs of the east require his presence at St. Petersburgh.

PORTUGAL.

Pedro seems to be on a good understanding with admiral Sartorius, and his naval force, generally—the wages of the sailors being nearly all paid. He had also received several parties of soldiers from France and England. His affairs are more promising of success than heretofore. Those of Miguel seem to be rapidly approaching a crisis.

Accounts from Paris mention that the ambassador of Don Pedro had an audience of M. Broglie, and it was reported that a loan of ten millions of francs were to be loaned to Don Pedro.

The troops at Oporto had become very anxious for battle. They are much annoyed by Miguel's batteries, and some of them, as well as of the inhabitants, killed. The fire was very heavy of shot and shells, and many houses were much injured.

TURKEY AND EGYPT.

The sultan has submitted to all the demands of Mehemet Ali, and his son, in the following order. The *manner* of it is laughable: but the "brother of the sun and moon" is not to be understood as granting any thing, except in his own good pleasure:

Order addressed to the viziers, mirimirans, mollahs, cadis, naibs, muisellims, vaivodes, ayams, notables and other functionaries of Anatolia.

"The assurance of fidelity and devotedness given me at length by the governor of Egypt, Mehemet Ali pacha, and his son, Ibrahim, having been acceptable to me, I have granted them my imperial benevolence. The governments of Crete and Egypt have been confirmed to Mehemet Ali, and in compliance with his earnest desire, I have granted to him the departments of Damascus, Tripoli, Sytia, Seyde, Safed and Aleppo, the district of Jerusalem and Naploose, with the conducting of the pilgrims, and the command of Djidda. His son, Ibrahim Pacha, has acquired a new title to the Cheik-al-Haram of Mecca and the district of Djidda; I have also acquiesced in his demand of the department of Adana, with the title of mohassil. Following the equity, humanity and clemency with which God has endowed me, I order all persons in authority in the different parts of Anatolia to refrain from pursuing the notables and inhabitants, and to bury all past events in oblivion. You, on your part, will announce my generous intentions to all who are in authority under you; you will endeavor to assure the public mind on this subject, and you will endeavor to obtain prayers in favor of my august person from the people, whose welfare God has entrusted to my hands. It is in order to make you acquainted with these things that I have issued the present firman, in conformity with my hatti scheriff. You will, therefore, make known my sovereign will to all whom it may concern, and you will obtain their prayers in my favor. Be careful that you comply with it without molesting any person whomsoever, contrary to my supreme desires."

By the preceding cession, the satrap of Egypt is now a more potent monarch than the head of the faithful, who grants him his pardon, and promises him his clemency. He possesses not only the dominions whose resources have enabled him to extend his power, but the whole of Crete, which had been before granted him, and the Holy Land, together with the country and the ports of the Levant, from the limits of Asia Minor to the mouth of the Nile. He has thus obtained sea ports for his navy, a great accession of contiguous territory and population necessary for his permanent security, and a natural boundary, easily defended against foreign aggression.

There is a formidable insurrection in Bosnia.

The Russian fleet remains in the Bosphorus, and the Russian troops at Constantinople. The porte may have some trouble in getting them away.

WEST INDIES.

The following is a memorial of the planters of Jamaica. The words used are lofty:

"We claim from the general government, security from future interference with our slaves, either by orders in council, or any other mode not recognized by our laws.

"We claim that sectarian missionaries shall be left to the operation of those laws, which govern the other subjects of his majesty; and if those laws are insufficient to protect us from renewed insurrections, excited through their machinations, we be permitted to amend them.

"We ask for such alterations in the revenue acts as shall revive our prosperity, by restoring to the colonies some part of the income of their estates, which has now, and has long been, altogether swallowed up by the exactions of the mother country.

"If these reasonable demands are rejected, we call upon government to give us, without further hesitation or delay, an equitable compensation for these interests, which it had thought expedient to sacrifice for the supposed good of the empire.

"Should compensation also be refused, we finally and humbly require that the island of Jamaica be separated from the parent country, and that being absolved from her allegiance to the British crown, she be free either to assume independence, or to unite herself to some state by whom she will be cherished and protected, and not insulted and plundered."

*From St. Vincent.* A report having been circulated among the slaves of this island that they would be emancipated on the arrival of the vice governor—and that event having taken place without the expected result—alarming symptoms of insubordination had discovered themselves on two or three of the estates in the windward part of the island. The lieutenant governor had issued his proclamation, dispelling the delusion, and enjoining a strict and cheerful obedience to their masters.

## LAW CASES.

*Brief notices of decisions.*

A case of considerable importance was tried in the circuit court of the United States, held in Raleigh, some time in the course of last week, justices Marshall and Potter presiding. The plaintiffs in the case claimed title under a grant from the state of North Carolina to William Cathcart, for 50,000 acres of land, bearing date in July, 1796, founded upon entries in the entry taker's office of Buncombe county, in 1795. The principle point involved was, whether the line known as Pickens' line, ascertained and marked in 1797, was the true boundary between the state of North Carolina and the Cherokee territory, as prescribed by the treaty of Holston in 1791, and confirmed by the treaty of Tellico in 1798. The land in dispute forms Buncombe county. It was contended by the plaintiffs that the Pickens line was erroneous; that the surveyor should have stopped at the 35th degree of north latitude, which is the boundary of North Carolina, according to the declaration of rights, and is about twelve miles south of the *reputed boundary* of the state, and that, in fact, the true boundary line required by the treaty of Holston had never been run. The jury were instructed by the court that the *reputed boundary of the state* (if such boundary existed, which was a matter of fact for their investigation) was to be regarded, and *not the parallel of latitude*. The jury found for the defendant, and it is supposed that the case will be taken by writ of error to the supreme court of the United States.

In the district court of the United States, now sitting, a suit has just been tried, brought by the United States against John Helberstadt, for removing an empty cask having the custom house marks and numbers upon it, before the same had been obliterated. The jury found a verdict that the defendant did remove the cask before the marks were effaced. A point of law was asserted on his part, that the removal contemplated, was that by persons who *sold* or disposed of such casks, not those who *purchased* them. This point, we presume, will receive the formal decision of the court. It is certainly of great importance to the community, that the custom of using these empty casks, before the marks have been erased, should be put a stop to, and such we believe will be the effect of this verdict. The penalty is *one hundred dollars* for the removal of each cask.

[*Philadelphia Gazette.*

*Important trial.* A gentleman just arrived from Bangor (Me.) has given us the particulars of a case of recent occurrence there, which is said to have excited considerable sensation. An unlicensed grog dealer, named Treadwell, keeping a shop at what is called the Point, with the assistance of an understrapper, named Woodward, undertook, on Tuesday last, to furnish an Irishman with *as much wine as he could drink for twenty-five cents.* The Irishman drank a pint of stuff which was drawn for him as "port wine," and walked off. In about half an hour he returned and drank two pints more. The result was death. Woodward was apprehended, on complaint of the coroner, who held an inquest over the body. On Friday last he was examined, and required to recognize in the sum of $550, for his appearance at the next (June) term of the supreme judicial court for trial, on the charge of *manslaughter.* [*Boston Journal.*

CIRCUIT COURT OF THE UNITED STATES. *From the Frankfort (Ky.) Commonwealth. United States vs. Jones.* The jury found the prisoner guilty of the charge alleged against him, of robbing the mail. On Friday (the 15th June) the criminal was brought into court, and the sentence of the law pronounced upon him by his honor judge McLean. He was sentenced to *twelve years* imprisonment in the penitentiary of this state. After the sentence was pronounced, the prisoner requested the liberty of making a statement of the truth of the case, in which he was indulged by the court. He then, in a very solemn and emphatic manner, denied having made use of any improper means to obtain possession of the checks, and asserted that he knew witnesses who could have testified to material facts tending to establish his innocence, but which witnesses, he believed, were induced to absent themselves by the machinations of his enemies. He spoke of being the victim of a gang of cut-throats, horse thieves and counterfeiters, who had combined against him, because he had endeavored to run them out of the country. The court informed him that all these matters were subjects for the consideration of the president upon an application for pardon, but were not suitable upon the present occasion. The prisoner in conclusion said, that he "hoped God might never soften the heart of the president, to grant him a pardon, if what he said was not true." He was excessively agitated—he groaned audibly, and wept most bitterly. Jones is a small man, with light blue eyes and remarkably bushy hair—his appearance is an uncommon one. At the time of his arrest he was a member elect to the legislature of this state, but resigned his office upon his indictment. He is a married man with a small family.

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There are no public alarm bells for fires in Boston, and resort is hence had to the church bells. Recently a fire broke out during the hours of divine service, and a fireman ascended the tower of King's chapel, corner of School and Tremont streets, and commenced ringing the mighty bell of that church. The sexton, by order of the vestry men, forcibly prevented further ringing, and a suit was brought against the sexton for assault and battery, with a view of testing the question of right—"judge Whitman ruled that, although the bells were private property, the members of the department and citizens have a *right to ring them in case of necessity*, that is when a building was actually on fire; and consequently, as vindictive damages were disclaimed by the prosecutor, he fined the defendant 50 cents and costs." Counsel for the defendant, C. P. Curtis, esq. for the prosecution, John C. Park, esq.

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*From the Montreal Vindicator of June 28.* A most extraordinary case came before the court of king's bench of this district, on Saturday last, the nature of which the following details will give some idea:

A young lady from Upper Canada, of the name of McMillan, about 16 years of age, was brought before the court on a writ of *habeas corpus*, at the instance of a man of the name of Kennedy. It appeared in testimony before the court, that this young man resided for a couple of years with the step father of the young lady in the capacity of clerk. That having had, in consequence, frequent opportunities of seeing and conversing with her, he persuaded her, for certain reasons, to elope with him. They escaped through a window from the second story of the house, by means of a ladder, during the night; and having embarked in a canoe, gained the opposite or American side of the St. Lawrence, and were married at Messena, by a magistrate.

In the mean time, the family having discovered their flight, the step-father and one of the uncles of the young lady followed the fugitives, whom they overtook about nine o'clock in the morning, two hours after the marriage ceremony had been performed. The young lady appeared very much affected, and seemed very glad to be rejoined by her friends, with whom she consented to return, when asked so to do, having declared that Romeo Kennedy had deceived her. Some time afterwards she was placed by her father, at her own request, in one of the nunneries of this city. Kennedy discovered her retreat, and by a writ of habeas corpus, had the young lady brought before the court. The judge having heard the parties by their attornies, and read the several affidavits on both sides, decided, that as Miss McMillan was not detained against her will, the writ of habeas corpus did not apply to her case—especially as she was at liberty to leave the convent when she pleased, and as she declared in her own affidavit before the court, that she was desirous not to be restored to Kennedy. The writ was discharged accordingly.

Miss McMillan belongs to a most respectable family, and the question excited a great deal of interest.

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SUPREME COURT. *Reported for the New York Commercial Advertiser. Alvah Beebe vs. Charles M. Livingston.* This was an action of false imprisonment, for the arrest of the plaintiff under the warrant issued by the defendant as speaker of the house of assembly, in pursuance of a resolution of the house, for an alleged contempt in writing a letter to one of the members, which it was adjudged amounted to an offer to bribe by the promise of stock in a pending bank application, &c. The defendant pleaded specially a justification under the resolution and warrant, to which the plaintiff demurred. The demurrer was brought on to argument, at the present July term, at Utica, and was argued by Mr. John A. Collier, counsel for plaintiff, and the attorney general, Mr. G. C. Bronson, for defendant. The plaintiff's counsel contended, among other things, that an attempt to bribe being an "infamous crime," within the statute definition, was not punishable in this summary mode, but that plaintiff was entitled to a trial by jury—and also that the plea was defective in not averring that the warrant issued *upon oath*—this fact appearing only in the *recital* of the resolution, which was set forth *in hac verba*—but the court gave judgment for the defendant, with leave to the plaintiff to withdraw the demurrer of reply on payment of costs.

## OLIVER WOLCOTT.

*From the New York American.*

Died, in the city of New York, on Saturday evening, June 1, *Oliver Wolcott*, in the seventy-fourth year of his age. The name of *Oliver Wolcott*, signed by the father of him whose death we now commemorate, to the Declaration of Independence, is associated in our historical annals with nought but illustrious deeds. The signer of the Declaration of Independence, and who was afterwards made a brigadier general on the field of battle at Saratoga—and subsequently to the peace was long governor of Connecticut—had in him who has now gone to join the heroic band of the revolution, a worthy son. While yet a boy, he marched as a volunteer in the hastily mustered forces that repelled the British marauders, who, during the revolutionary war, attacked Danbury, in Connecticut, and burnt Norwalk. His mother, with Spartan heroism, buckled on his knapsack, and placed the musket in his hands. His whole subsequent life proved that the virtues and patriotism of such parents were not degenerate in him. Educated for the bar, he had hardly entered upon his career, when the discerning eye of Washington selected him for comptroller of the treasury; in which office he remained till Alexander Hamilton retired from the post of secretary of the treasury, when the same unerring judgment promoted the comptroller to the head of the department, and made him secretary. This office Mr. Wolcott filled with unquestioned ability and integrity, during the residue of gen. Washington's administration, and the whole term of that of John Adams. He was one of the circuit judges appointed by Mr. Adams, under the judiciary act passed at the close of his administration, but which, ere it had well gone into effect, was repealed under Mr. Jefferson. Thus thrown out of public life, at the early age of forty, Mr. Wolcott removed to this city in 1800, and commenced business as a merchant. He was soon at the head of a flourishing house in the China trade, and was president of the Merchants' bank, and subsequently of the bank of America. On the breaking out of the war with Great Britain in 1812, he closed his mercantile concerns, and, under the full conviction that the war was both just and politic, gave the whole support of his name, and means, and talents, to the administration—differing therein from the political friends with whom he had always before acted. After the close of the war, Mr. Wolcott returned to his native village of Litchfield, in Connecticut, occupying himself in the quiet cultivation of a farm, and the society of his books. He was soon called by the voice of his fellow citizens to preside over the state—as his father for many years had done before—and for ten successive elections he was chosen governor of Connecticut.

At the close of this period he removed to this city, to be in the vicinity of his children, who were settled here; and, living in great retirement and privacy, he has here breathed his last. The character of Mr. Wolcott was strongly marked. Stern, inflexible and devoted, in all that duty, honor and patriotism enjoined, he was in private life of the utmost gentleness, kindness and simplicity. With strong original powers, which the stirring events of the revolutionary days in which he was born early developed, he had acquired a habit of self reliance, which little fitted him for that sort of political co-operation which results from expediency, rather than right. He aimed at the right always, and at all events, according to his best convictions; and if any questioned his judgment, none could impeach his honesty and sincerity.

> Justum et tenacem propositi virum
> Non civium ardor prava jubentium,
> Non vultus instantis tyranni
> Mente quatit solida. . . .

## THE LATE COLONEL NICHOLAS FISH.

*New York, June 20.* At the commencement of the revolution, col. Fish was aid-de-camp to brig. gen. John Morin Scott, and he and his corps went into service as "six months' men." On the 21st November, 1776, he was appointed by congress major of the second New York regiment of the continental army, commanded by colonel (afterwards general) Pierre Van Cortlandt, and served with that rank during the revolutionary war, and was at its close, by a resolution of congress, commissioned as lieutenant colonel. He was in the battles of 19th September and 7th October, 1777, at Bemis' Heights, in New York, which preceded the surrender of general Burgoyne's army, on the 17th day of October, of the same year. Early in 1778, he was appointed by general Washington a division inspector of the army under general the baron Steuben, who was then inspector general of the continental army; and on the 28th June, 1778, colonel Fish commanded a corps of light infantry in the celebrated battle of Monmouth, New Jersey. In 1779 his regiment and himself were in Sullivan's expedition against the Six Nations of Indians, in which, after enduring every privation, they succeeded in destroying the Indian power. In 1780 he was attached to a corps of light infantry under the command of gen. Lafayette. In 1781 he went with his regiment into Virginia, and took a very active part in the battles which eventuated in the surrender of the British army commanded by lord Cornwallis, on the 19th of October, in that year. He was major of the corps of infantry commanded by colonel (afterwards general) Hamilton, which so gallantly stormed one of the British redoubts at Yorktown. In 1782 colonel Fish was with the main army under general Washington, at Verplanck's Point, in New York, and continued there, at West Point, and at the cantonment at Newburg, until the close of the revolutionary war. Col. Fish's character in the army was that of an excellent disciplinarian and a very gallant soldier; and he possessed in a very high degree the confidence of Washington, Lafayette and Hamilton. After the peace, col. Fish was for a number of years adjutant general of this state; and such was the activity of his mind and his habits of business, that he continued almost to the close of his useful life to hold civil employment.

## "THE CELESTIAL EMPIRE."

*From the Canton Register of Jan. 24, 1833.*

The following order was issued in consequence of a cruise made some time last year by the British ship Lord Amherst along the eastern coast of China, for the purposes of trade and discovery:

VOYAGES UP THE COAST.

In the Peking Gazette, for September 5th and 6th, 1832, there is a paragraph from the emperor, in reply to Taou-shoo, the governor of Keang nan, concerning the Lord Amherst.

It states, that, on the 12th day of the 6th moon, the English ship was delivered over to lieutenant-general Kwanteen-fei, to

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see that she left the jurisdiction of Keang-nan, and was compelled to go southward; whereas, eight days after, she was found at Shan-tung. On this occurring, the emperor expressed his displeasure, and required from the governor an explanation. The explanation was not satisfactory, and the governor, the general, and a third officer are subjected to a court of inquiry.

The governor says, "that if any such ships should make their appearance, and anchor within his jurisdiction, he will send special officers to search them, and see whether they have prohibited goods or not: and if they have, he will drive them away; and if they refuse to obey, he'll punish them." The emperor replies—"this view of the case is utterly erroneous. Foreign ships are neither allowed to anchor, nor to sell any goods there. They are restricted to the port of Canton. If any ships make their appearance and solicit leave to trade, talented officers must be sent to proclaim to them the orders of government and require their implicit submission. They must not go to other provinces and anchor, and endeavor to sell goods. All the officers on the coast, civil and military, great and small, must watch and drive away southward, from province to province, every foreign ship; and they must be handed over by the imperial ships of one province to those of another—so that no excuses be afterwards made. If this be not effected, or any other mischief arise, the governor alone shall be held responsible. Let him ask himself how he will be able to sustain the weight of the guilt which he will incur! He mismanaged in the first instance, and now he boasts great things about what he will do hereafter. Let him, in every thing, act according to right reason. Not put on the airs of great perspicacity, and, after all, fail in doing the thing that is right."

"Moreover; in managing outside barbarians, he must be careful to adhere to old regulations; and manifest at all times a stern gravity: never affording any pretext for commencing bloody affrays. He is very wrong in assuming all at once a spirit of swelling self sufficiency; and disregarding, at the same time, the dignity of government. He sustains an office in which the territory is committed to his care—is it becoming in him to act and speak in the way he has done!

"His majesty commands that these thoughts be fully explained to the governor, Taou shoo, and his colleague Tintsih-seu. Respect this!"

## SOUTH AMERICAN DEBTS.

Much has been said of late about the debt owing by the new Spanish American states to this country, and of the immense importance of receiving the whole, or even a part of that debt; but the public at large, perhaps even the creditors themselves, are very little aware of its vast extent. Subjoined is a statement of the whole amount, together with the arrears of interest, by which it will be seen that they actually exceed £22,000,000 sterling!

Statement showing the amount of bonds negotiated in London for account of the new Spanish American states, and upon which the dividends are now in arrear.

| | *Interest.* | | *Amount.* | *Annual interets.* | *Amount of arrears.* |
|---|---|---|---|---|---|
| Colombia | 6 | per cent. | £2,000,000 | £120,000 | £840,000 |
| Ditto | 6 | " | 4,650,000 | 279,000 | 19,53,000 |
| Mexico | 5 | " | 2,130,000 | 106,000 | 40,000 |
| Ditto | 6 | " | 3,150,000 | 189,000 | 70,000 |
| Peru | 6 | " | 1,800,000 | 108,000 | 864,000 |
| Chili | 6 | " | 1,000,000 | 60,000 | 420,000 |
| Buenos Ayres | 6 | " | 1,000,000 | 60,000 | 360,000 |
| Guatemala | 6 | " | 167,000 | 10,000 | 50,000 |
| | | | £15,897,000 | 932,000 | 4,597,000 |
| Mexican | 5 | " | 650,000 | deferred stock. | |
| Ditto | 6 | " | 950,000 | | |
| | | | £17,497,000 | principal. | |
| | | | 4,597,000 | arrears. | |
| Total | | | £22,094,000 | | |

We are indebted for the above to a commercial friend, well acquainted with the subject, together with another calculation, which it is not necessary to give at length, showing the rates at which the respective loans were raised, and the depressed prices which, including the accumulation of interest, they at present bear in this market. The average rate was 82 per cent. and the sum drawn from the subscribers about £13,000,000; the current market prices average about 22 per cent. and the value, if converted into money at the existing rate, £3,380,000, constituting a loss of near £10,000,000 without computing the arrears of interest, which amounts to £4,597,000 more, which brings up the total loss to England by these ill-fated contracts to between £14,000,000 and £15,000,000 sterling. What aggravates the calamity is, perhaps, that these states all possess, more or less, the ability to pay, but want the honesty and good faith to make even an approach to the fulfilment of engagements by which they were enabled to shake off the yoke of Spain, and achieve their independence. The contrast with the conduct pursued by English America, (the United States), in a state of things nearly similar, is too striking not to be placed in juxta position with the above. Their securities during the struggle were as low in their price, and apparently in a state as hopeless, as those of Spanish America are now. One of their first measures, on attaining independence, was to classify the whole of the debt, and provide for the regular payment of the interest; it gradually became one of the most approved and secure investments, even for European capital, and will be, in the course of the present year, faithfully discharged in full to the last dollar. [*London Times.*

## BRITISH FINANCES.

Abstracted from the speech of lord Althorp. The financial year ends on the 5th April.

| | *Income* 1832. | *Income* 1833. |
|---|---|---|
| Customs | —— | £16,769,621 |
| Excise | —— | 16,529,131 |
| Stamps | —— | 6,857,540 |
| Taxes | —— | 5,003,937 |
| Post office | —— | 1,454,900 |
| Miscellaneous | —— | 238,526 |
| | £46,618,000 | £46,853,650 |

The details of the income of 1832 are not given. The precise excess of income in the past year over the preceding is £230,389.

The following is a correct table of the *expenditures:*

| | 1832. | 1833. |
|---|---|---|
| Army - - - - - | £7,551,000 | £7,006,498 |
| Navy - - - - - - | 5,842,835 | 4,505,000 |
| Ordnance - - - - | 1,478,944 | 1,634,817 |
| Miscellaneous - - - - | 2,900,430 | 2,138,953 |
| Debt and other charges on the consolidated fund - - | ——— | 30,080,239 |
| | £47,859,000 | £45,365,507 |

The details *of the charges for debt, &c. for 1832 are not given,* but the gross amount of expenditures is above stated.

The result shows an excess of expenditures over receipts in 1832 of about £1,200,000.

There is an excess of receipts over expenditures in 1832 of £1,487,000.

The revenue for the year has therefore improved, as compared with the expenditures, nearly £2,500,000.

The revenue has improved but little more than £200,000:—the retrenchments therefore must exceed £2,250,000.

The estimates for the next year are

| | |
|---|---|
| Army - - - - - - - - - - | £6,673,251 |
| Navy - - - - - - - - - - | 4,658,635 |
| Ordnance - - - - - - - - - - | 1,455,223 |
| Miscellaneous - - - - - - - - | 1,835,110 |
| Debt, &c. - - - - - - - - - | 30,300,000 |
| Total | £44,922,219 |

## THE CHINESE MULBERRY TREE.

*From the New York Advertiser and Advocate.*

"PALMAM QUI MERIUT FERAT."

GENTLEMEN: There is not a production in nature, after wheat, more precious than that which can afford what is incessantly wasted or wanted. While the past or approaching spring season only enriches mankind with abundant crops of food, a succession of crops of silk cannot be obtained by any known sort of mulberry tree, white, black, Italian or Calabrian; but it can, by the Chinese *moras multicaulis*, be repeatedly cultivated and distributed throughout in this part of the new world.

The leaves of the Chinese mulberry tree are very large, measuring from 10 to 12 inches in length and breadth, but always so delicate that they can afford a tender pulp to any young hatched race of the laboring silk fabricator, and leaving, of the food offered, nothing but an admirable lace work of the remaining slender fabrics, which the insect could not turn into silk or food.

The leaves of the Chinese mulberry tree look like pieces of silk, or pocket handkerchiefs, which might have been suspended on it for drying, or other purposes.

It was in the year 1828, that, as a member of the Linnæan society of France, and constituted their president in the department of the new world, I heard of the discovery made of the Chinese mulberry tree, to which no-one could before have an access in that country; but the same production was plentiful and flourishing in one of the Phillipine islands, in which Chinese refugees, exiles, &c. have been allowed to settle, and revive all the goods, produce and industry of their country, and which Mr. Perrotet was directed to explore, and also any other land of the southern ocean, from which useful seeds and plants could be obtained. The voyage of Mons. Perrotet lasted nearly three years, and enriched his country with not less than 158 species of trees, 8 feet high, and with 534 individuals, besides two chests he took of palm seeds in full vegetation. He had indeed explored the seas of India, and then he came to those of South America. There had never been so vast an importation of rare genera of plants, seeds and trees as that of M. Perrotet, and among them was the ancient mulberry tree, to which he affixed the proper name of *moras multicaulis*, because it produces many shoots from the roots.

I now must mention that I had the first opportunity of receiving from Paris, and from my colleague, Mons. Perrotet, three rooted trees of the Chinese multicaulis, which I was permitted by the vestry of the French church, of which I have had long the honor to be a curator, to plant and cultivate in their burying ground; and which I delivered to the practical care of an intelligent horticulturist, Mr. Daniel Kane, who best could immediately propogate them.

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1. The first tree I presented to the Horticultural society of New York, and placed it under the care of Mr. Floyd, an eminent culturist, and member of the same society.

2. The second tree I presented to Dr. Hosack, who, being the proprietor of a splendid garden in the centre of the state of New York, could better propagate the Chinese mulberry tree.

3. The third tree I had reserved for the Hamilton City Agricultural society, in the state of Ohio, of which I have also the pleasure to be an honorary member. This, in spite of the care of myself, and my correspondent and colleague, D. C. Wallace, esq. failed in its long voyage through the ocean and the Mississippi. I replaced it, however, by a sound rooted layer, for which I have received acknowledgment, and, I hope, merited thanks.

4. The last distribution for the Jefferson County New York Agricultural society, which is under the guardianship of Mons. Le Rey de Chaumont, its president, an ancient landholder in that county. This also failed, but I replaced it by another, which has been acknowledged with kind and honorable thanks.

All the above distributions having been accomplished, I thought it was my duty to reward Dr. Kane for his labors and practical attention to the plant or tree I had first imported, and left the whole of it to him, on the only condition that he would supply me with one layer, if it was called for. He has since fulfilled his promise.

By this time I was informed that Mr. Parmentier of Brooklyn, a very intelligent horticulturist, had made a great importation of the Chinese mulberry tree, and that he was extensively cultivating the same. His success, as well as that of his widow, merit attention and praise—the more so, that they had daily labored to perform their part, and to prove their zeal by the extensive sale of the Chinese mulberry tree, which to our knowledge has been made to succeed by that establishment. At last, and in the year 1831, Mr. Richard K. Haight, of this city, applied to me to procure for him such recommendations as would enable him to make in Paris a great purchase of the *morus multicaulis*, for which he assured me he had already appropriated 500 acres of land. With this request I was very happy to comply—gave him several letters; to none of which I never received any answer. This final explanation I think myself authorised to give, in consequence of his late announcement in the Mercantile and Advocate to the public of his large importation of the Chinese mulberry tree, although I remain thankful for the compliment he at last paid me in the same paper. FELIX PASCALIS.

## CAPABILITY OF MACHINERY IN MANUFACTURES.

*From the London Mercantile Journal.*

In our remarks last week on open trade with ONE HUNDRED MILLIONS IN INDIA, AND THREE HUNDRED AND FIFTY MILLIONS IN CHINA, we observed that our manufactures were capable of being increased to any extent; that extent is certainly not *infinite*—it is however, *indefinite*—and to an indefinite extent our manufactures might be multiplied by machinery. In the single but important article of cotton, one man can now produce two hundred times more goods in a week than he could in 1760, when George the third ascended the throne. One mill, in Manchester can, when all the spindles are at work, spin as much cotton thread in a week as would go round the world. In the manufacture of hosiery, which is seated chiefly in the midland counties of Nottingham, Derby and Leicester, machinery has reduced stockings one hundred per cent. compared with what they were twenty years ago. Owing to machinery, lace, which was 2s. per yard eight years ago, may now be bought for 4d. what was £4 10s. per yard twenty years ago, is now 18d. and some kinds may be bought as low as one farthing per yard! Woollens have experienced less reduction in price than any other kind of wearing apparel. At a paper manufactory in Hertfordshire, a quantity of pulp can, at a distance of twenty-seven feet from the cistern in which it lies, be converted in three minutes by machinery, into a sheet of paper, ready to be written upon! Such is the continual advancement made in the Manchester manufactures by machinery, that the trade say, if a manufacturer were to leave manufacturing for a few years, he would be quite *lost* upon returning to it again. Rail roads are machinery, and their adoption and extension will tell upon the price of manufactured goods. Although the improvements in machinery during the last thirty years have been so wonderful, as to unite the realities of truth with more than the wonders of fiction, yet who will be so bold as to say that we are at the very top of the hill of advancement in mechanism? It was stated in evidence before a parliamentary committee, at the conclusion of the late calamitous and ruinous war, to the astonishment of the committee, that during the war, machinery equal to the power of sixteen millions of men, had been set to work in this country! and, if a market could be found for all that machinery is able to produce, it could soon be doubled. Now, owing to the increase of the population, particularly of the laboring classes, and the want of markets, machinery is in bonds, and the mechanic stands with one hand tied behind him, while the starving and misguided operative is ready with both hands to demolish his valuable inventions. What we want now is open trade to India, then will the green withes, wherewith the Samson of machinery is bound, be broke asunder, and the steam engine and spinning jenny, to which England owes more than all her generals, admirals and statesmen will increase that debt, by securing the valuable *natural* productions of the east in exchange for her incomparable productions of art and science.

☞A few weeks ago we had a reference to the preceding article, as a most splendid scheme, *provided only*, machine power shall be kept out of use in the East Indies, and the Chinese are persuaded to exchange their "NATURAL PRODUCTIONS," for English "productions of art and science."

The chief part of the machines mentioned in the preceding, we also have in the United States, or can easily obtain, when prepared to use them. Rail roads are well called "machinery," and so are canals—and whatever else reduces the amount of *animal* labor required to perform any particular thing; and it is because of the extent of her machinery, that England, while her average rate of wages paid for [male] labor is not less than 8 or 10 dollars per month, (though that is, indeed, low enough), is able to compete with the labor of the East Indies, though wages in that country hardly average two dollars per month—the people, in both cases, subsisting themselves. And hence it is that England wishes to have a "free trade" for the products of her machines, but will not make liberal exchanges with other nations in "natural productions," the result of *manual labor*—because of the real or supposed necessity imposed of protecting her own—and foreign bread and meat, and fish and fuel, the primary necessaries of life, are excluded, that British grain growers and graziers, fishermen and miners, may exist.

An "open trade" to the British East Indies may be *forced*—but that will force the introduction of machinery into the east, and present advantages may be dearly gained in future injuries conferred——But the Chinese will never permit an exercise of that partial policy which is suggested, and suffer themselves to be embarrassed by a *left handed* freedom of trade.

## PROGRESS OF IMPROVEMENT.

The improvements which have succeeded each other so rapidly in the traveling facilities in this country, are thus described by the senior editor of the New York Daily Advertiser, whose personal observations go back as far as 1783:

In the year 1786, if we recollect rightly, the first stage carriage that ever was established on the great post road between New York and Boston, was set up by Jacob Brown, then a resident of Hartford, in the state of Connecticut, and commenced running between Hartford and New Haven. It was a carriage somewhat resembling the coaches of later times, but far inferior to most of them in workmanship and appearance, and was drawn by one pair of horses, which performed the whole journey through from one town to the other. The route was upon what is called the middle road, that is by Berlin, Wallingford, &c. and the journey occupied the day. At that time, for a large part of the year, a great proportion of travellers from the eastward to the city of New York, took passage at New Haven, on board the sloops which plied between the two ports, and thus finished their journey by water. The passages varied, according to wind and weather, from twelve hours to three days. In the course of our own experience they differed as much as this. A considerable part of the road between New Haven and New York, along the shore of the sound, was extremely rough, rocky and uncomfortable, and in fact in some places almost impassable for wheel carriages. After Brown's carriage had run for a year or two, or perhaps more, a man of the name of Hall petitioned the legislature of Connecticut for the exclusive privilege of running stage carriages on the road from New Haven through that state, to Byram river, which was granted, and the stages were established, and run for a number of years, when they passed into other hands. Not far from the same time, an exclusive privilege of running stage carriages from Hartford to the Massachusetts line, between Suffield in Connecticut and West Springfield in Massachusetts, on the great post road to Boston, which then passed in that direction, was granted by the legislature of Connecticut to Ruben Sikes, who for many years in connection with Levi Peas of Shrewsbury in Massachusetts, and probably with others, kept up the line through to Boston.

At that time, there were scarcely any turnpike roads in the country, of course, travelling in any kind of vehicle, was performed in a slow, tedious and fatiguing manner; and all intercourse with different parts of the union was laborious, expensive and discouraging.

After some time, turnpike roads began to be formed, and the great obstacle to locomotion, presented by extremely bad roads, was in many places removed, and the travelling portion of the community began to take courage, and move from place to place with accelerated speed and increased satisfaction. The fashion having once begun, as is usual in such cases, it soon became general, and turnpike roads were made almost in every direction. The advantages to the business and the pleasure of the country were great; new life and spirit were infused among the inhabitants at large, and over a large part of the middle and eastern states, the aspect of things changed, and all was active, animating and encouraging.

In process of time steamboats were invented, and a new impulse was given, not only to the activity of the United States, but to the world at large. Here, vessels of this description, which commenced their career at a speed of about five or six miles an hour, by a series of improvements in machinery, and skill in navigation, went on gaining, until they have attained to the extraordinary expedition of nearly twenty miles an hour. This, one would have supposed, would have satisfied the desires of the most restless spirits in the world; but, as there is no end to the exercise of human ingenuity, and mechanical skill,

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probably those who live to see a few years more, will find a constant attempt at more rapid movements in these wonder working vessels.

In the mean time, not to be behind hand upon land, the invention of rail roads has broken in upon the world, and already millions of money are investing in these new and astonishing inventions for increasing the speed of locomotion. Projects, almost without number, are offered for establishing these new and extraordinary channels of communication, and it must be acknowledged that they meet with the most flattering encouragement among the monied men of the country. Nothing is more common than to hear people talk of travelling on rail roads twenty, thirty, and sometimes even forty miles an hour—of going from New York to Philadelphia to dinner, and back to New York to supper.

Those who are old enough to remember the state of things in the country at the peace of 1783, and for a number of years thereafter, and to recollect the extreme toil and apprehension of a journey of a hundred or two miles, to almost any point of the compass, and to compare their former experience with what passes constantly before their eyes, can hardly [illegible] of feeling and expressing their astonishment at the progress of human affairs, at the result of human ingenuity, and the improvements that have taken place in the moveable powers and propensities of the human race, and especially among those of their own countrymen.

—

The journey from *Washington* to *New York* is now made in 22 or 23 continuous hours, without hurry, and without much fatigue, for the greater part of the time is expended in steamboats. So it may be said of the journey from *New York* to *Boston*; and *Richmond* is easily reached from *Baltimore* in [illegible] hours. After a while, the *Ohio* river will be within THIRTY HOURS of *Baltimore*. *St. Louis* is only a short *time* from *Pittsburgh*, and the *Yellow Stone* will soon be close to *St. Louis*.

## MANUFACTURE OF IRON.

*From the Albany Gazette.*

The manufactures of iron are daily becoming more important. With an increasing demand, there seems to be an increasing supply, and the ingenuity of our countrymen is exerting itself to the utmost, to produce articles of this material. Not only cheap but durable and highly finished.

At this moment, we remember two articles infinitely superior in character to those of a similar kind manufactured in England, and they, if we may use the expression, lie at the extremes of the workshop—axes and door locks.

It is admitted by the English that all attempts on their part to make good axes have hitherto failed. A premium offered for the best model did not produce the intended result, and while her emigrants were crowding to Canada and New Holland, they were unable to carry with them axes, with which to bow "the woods beneath their sturdy stroke."

In the United States, necessity, the mother of invention, led to the formation of good axes. Like patient men they keep their *temper*. Our axemen may trace their celebrity, and attribute their expedition, to the shape and quality of the axes which our ingenious mechanics have placed in their hands.

So with regard to locks. The vast increase of our population, and the consequent demand for habitable dwellings, created a similar necessity for locks; and it is well known that those of American manufacture are much superior to the imported. In this city we have locksmiths whose work is unsurpassed in any country, while the axes manufactured in our vicinity are equally celebrated. So in the smelting of iron ore. Varieties of methods have from time to time been tried to obtain, at the least expense, the greatest quantity of metal from a given quantity of ore. One of the most ingenious operations, we remember at this time, and one in which science has exerted an astonishing influence, is the use of the magnetic wheel to separate the metal from the lumps of broken mineral. Mines which afforded the best metal were sometimes so distant from the furnaces that the transportation amounted to a sum that made it impracticable.

An ingenious person imagined that a wheel, armed with magnets, could be made to revolve in such a way, as to pick up the iron on one side, and drop it on the other. This had a wonderful effect upon the expenses of the furnaces. To produce one ton of iron, it is calculated that three tons of ore are required, besides charcoal and limestone, which are also used in great quantities.

The breaking up of the ore did not exempt the smelter from being obliged to throw in large quantities of stone with the ore, as he could not otherwise separate the metal from the rock in which it is found.

The magnetic wheel relieved him at once. Comparatively speaking, he was rid of the scoriæ. The magnets, however, became easily disordered; and to retouch them was a work of labor, inconvenient, tedious and expensive. Here the first fruits of the electro-magnetic theory were perceived. Professor Henry, of this city, (now the able occupant of the chair of natural philosophy at Princeton) after constructing the largest magnet ever known, was applied to for some advice in relation to the retouching of these wheels. He immediately made a small artificial magnet on his principle, and it was found to be successful in restoring the magnets to their former state in a very few minutes. This discovery has become invaluable to the furnacemen of the north, where the principle is now recognised; and it shews how much, after all, the money making, and money getting portion of society are deceived, when they think science of no consequence to any but men of leisure. Science puts money in *their pockets*, and creates the dividends upon some of their most valued stocks.

It has been a study much attended to of late, to know the character and value of American and foreign iron, compared with each other.

The consumption of iron in the shape of boiler plates, and cast rails, is becoming enormous. The tenacity and character of the metal are yet to be thoroughly understood. The Baltimore iron is considered the best in the world for steamboats. As yet we do not fabricate wrought iron rails, but probably very soon shall, as machinery will be contrived to equalise the difference between the prices of American and English labor. Cast iron rails have been made with success at our own furnaces.

The American iron being melted by the heat of charcoal, is allowed to be more tenacious than the English, which is melted with coke.

To put the matter completely at rest, however, very interesting experiments have been made at the apartments of the Franklin Institute, under the direction of Mr. Johnson, a scientific gentleman. The secretary of the treasury was authorised some years since, by an act of congress, to expend a certain amount in constructing machines to make experiments on the tenacity of iron and other metals used in steam boilers. It was so constructed as to admit any degree of temperature, up to 500° Farenheit.

Some interesting results have thus been obtained. The Pennsylvanian, who is our authority for the assertion, says it is ascertained that the tenacity of good iron is increased by the application of any degree of heat under 450°, which is contrary to previously entertained opinions. Some Tennessee iron (from the Cumberland works) was found equal to a resistance of from 59 to 64,000 lbs. the square inch! The Pennsylvania and Connecticut iron exhibited the same qualities. No iron from our state was sent on for trial—we hope some of our proprietors of forges will not forget to submit specimens of their iron to the test of these experiments.

It was also found that common American iron was better than the best British, and the best American equal and generally superior to Swedish and Russian.

A report is preparing to be exhibited to the next congress, in which we may expect an accurate statement of the facts, a document that must be of uncommon interest and importance.

—

*To the editor of the Pennsylvanian.*

*Philadelphia, July 3d*, 1833.

SIR: Having seen a quotation from your paper purporting to be a statement relative to some experiments on the strength *of* iron, now in progress at the hall of the Franklin Institute, which is incorrect in several particulars, and therefore calculated to mislead, it has been thought proper to give you the following information in relation to them.

Three years since the institute appointed a committee to inquire into the cause of the explosion of steam boilers, and to devise means to prevent them. The secretary of the treasury of the United States, learning that the institute were entering into this investigation, invited that body to make a series of experiments, and liberally offered funds for that purpose. Ever since their appointment, the committee have been laboriously and industriously pursuing their investigations, and the experiments alluded to in your notice, are a part of those performing by a sub-committee of that committee.

It is unnecessary to point out the errors in the results given in your notice, as obtained from those experiments, as the experiments are now nearly completed, and will, in due time, be made public by the institute. Yours respectfully.

WM. HAMILTON, *actuary F. I.*

## SHIP BUILDING.

*To the public.* The proprietors of a vessel constructed on the plan and principle here recommended, are as evident as any other fact with which we are already familiar, and it only requires a little reflection to reconcile the utility and practicability of such a structure to our ideas; for it will be found when put in practice that there are no material difficulties attending either the construction or the management of vessels of this description; for if built of the lighter species of wood—such as white pine, poplar, or any other kind not exceeding these in their specific gravity, they will shew satisfactorily that they possess abundantly the indispensable quality of buoyancy for all the purposes for which they are recommended.

Neither white pine nor poplar are more than four tenths of the gravity of water, consequently any common shaped vessel will, if the bottom part only is constructed of square logs of this timber, float more than one half of its bulk above the surface of the water, which will be sufficient to buoy up all the upper works and materials of every sort required, and also allow pits in the solid log work for ballast and tanks to contain the water, provisions and stores of every description. The boilers, to render them safe, may be placed in pits in the solid log work.

The log work should be constructed of sufficient height from the extreme bottom to float one or more feet above the surface of the water, when all the upper works and materials to be carried are estimated.

It is then evident that such a vessel is not liable to the danger of being sunk by the same causes which occasion that catas-

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trophe to others, and would be particularly appropriate for all the purposes for which they are recommended—such as steamboats, steam batteries, bomb ships, gun boats, light boats, beacons, &c. and it is also believed that vessels built on this plan will be cheaper, stronger, lighter, safer and last *longer* than those constructed as heretofore.

By an estimate carefully made, the cost up to the top of the solid log work will not exceed half the amount of other vessels. Steamboats on the western waters, built on this plan, would be entirely free from many of the most serious dangers that they are now liable to—such as snags, explosions of the boilers, ice, wrecking by the power of the engine, &c. Neither could fire make such ravages as in hollow vessels, for the top part only of those built on this plan would be endangered by this destructive element.

The method proposed for building this description of craft is as follows: The first log laid will serve for the keel—lay the next tier crosswise—the next lengthwise, and so alternately, until the bulk required be laid; then add the timbers by letting them into the sides of the solid work, after which proceed with the operation of planking the vessels as in other cases. Those logs are to be secured by wooden bolts of large size—three or four inches in diameter, and but little metal will be required. To preserve the buoyancy of these vessels, coat each log with turpentine and tallow, fill up the interstices between the logs with the same or any other approved water cement, caulk the seams in the log work, and coat them also with turpentine and tallow, which is impervious to water for a great length of time.

The vessels should be sheathed for fresh water service, and coppered over the sheathing for salt water service, or for the ocean.

To those who are disposed to adopt this mode of constructing vessels, a more particular description will be furnished.

Patent rights for states, cities or districts, may be had by application to the subscriber, post paid.

JAMES BARRON, *U. S. navy*.

## HOSPICE OF ST. BERNARD.

*From the New York American.*

Our readers will be interested, we are sure, in the communication published to day relative to an American benefaction to this ancient and solitary station—the discovery, by an American traveller, one of our fellow citizens, of anthracite coal, in the vicinity of this monastery, and the subsequent transmission, from home, of one of *Nott's stoves*, in which to consume it, have been the means, it will be perceived, by the letters of the senior resident, Barras, of securing the blessing of abundant warmth to the pious brotherhood who pass their lives amid eternal snows, for the cause of pious humanity.

[COMMUNICATED FOR THE NEW YORK AMERICAN.]

The Hospice of the great St. Bernard is among the choicest spots of interest to the European traveller. The unpaid labors of the good monks and their co-workers, the noble dogs of the hospital, are familiar to all those who take pleasure in the records of deeds of benevolence. It is pleasing to learn by recent advices from that dreary region, that these pure hearted devotees, to whom humanity itself stands debtor, are likely to enjoy henceforth a little more of human comfort than they have heretofore done, and, what adds to our pleasure, that it will be through the instrumentality of our own fellow citizens. A few circumstances of their condition will make what we allude to better understood. This Hospice occupies, as is well known, the most elevated practicable pass of "the high Alps," where, at an elevation of 8,000 feet from the level of the sea, has been constructed amid precipices of rock and ice, a rough bridle pass for the convenience of travellers, connecting the Pays de Vaud with Savoy and the neighboring parts of Italy. In this gorge stands the Hospice of St. Bernard, on the edge of a frozen lake, the highest inhabited spot in Europe, and a great deal too high, as all visiters will testify, for human endurance—unless supported as these good fathers are, and have been for these six hundred years, by the united enthusiasm of religion and benevolence. To give warmth to this frozen mansion, situate amid eternal ice and snow, and in a temperature which often falls to the zero of Farenheit even in summer, would seem to be "a sine qua non" of residence in it, and yet, from the expense of fuel, is utterly beyond the scanty and precarious means of the establishment—all the fuel hitherto consumed by them, consisting of small faggots of wood, brought up on the backs of mules, over a broken, rocky ascent of 25 miles from the valley below. The result has been, that the whole supply of their fuel, beyond what was needed for cooking, has been reserved to warm their shivering or frozen guests, in the "travellers' rooms," while they themselves have been content to pass their lives in a freezing temperature within doors as well as without, between naked stone walls, on bare stone floors, without curtains, carpets or fire. Such have been their comforts. It is pleasing now to contemplate a warmer picture.

In the summer of 1830 a traveller from our city, during a short abode at the Hospice, whose friendly walls relieved him and his family just in time to save them from one of their perilous snow storms, had the good fortune to light on the discovery that among the mineral products of the adjoining height was an anthracite coal, though of very inferior quality. Having no means of burning such an incombustible fuel, this discovery led to immediate directions for the erection of a grate for that purpose, but, as it proved, with partial success; and subsequently, on his return, to the remitting to them better plans and models, and eventually, through the liberality of a few to whom the story was told, to the transportation to the Hospice itself of one of Dr. Nott's admirable stoves of a large size, with all things appertaining to its immediate use. The following extracts of letters from the Hospice relate to the progress of the experiment, and conclude with the most satisfactory statement of its complete success, and that "the joy of the brethren knows no boundary."

[The N. Y. American gives copies of the original letters, in French, and adds a translation of them. We shall insert only the latter.]

*St. Bernard, July 19, 1831.*

DEAR SIR: I often think of your short visit to our abode, and of the good instructions you gave us on the method of burning anthracite. We continue the experiments, and we intend to put up grates soon. BARRAS, *chan. reg.*

*St. Bernard, 5th September, 1831.*

SIR: I scarcely know how to thank you, dear sir, for the kind and obliging letter with which you have honored us, accompanied by valuable descriptions and models of grates, that will be of the greatest use to us: I beg you to accept our sincere thanks for them. According to the instructions you gave us a year ago, I had a grate put up in the parlor chimney: it has succeeded well; there are, however, still some improvements to be made after your model, and, thanks to you, we hope to succeed in it entirely.

A few days after your departure from our Hospice a year ago, I was in great danger of being lost in a tempest on our mountain. Three persons perished at a short distance from me. God was graciously pleased to prolong my days; I ought to be very grateful to Him, and endeavor to live for His service. Your very obedient servant, BARRAS, *chan. reg.*

*St. Bernard, February 20th, 1833.*

MUCH HONORED SIR: The Hospice of St. Bernard will always preserve a lively remembrance of the interest which you take in its prosperity. I assure you, and I beg you also to assure your friends, that there is no member of our congregation, who is not very grateful for the benefits which our Hospice has received, and is yet to receive, by your generous offer of a furnace to burn anthracite: it will be very valuable to us, by enabling us to warm the house economically, and will be a great relief to suffering beings, for the distance of five leagues (25 miles) from the woods, their scarcity, and the difficulty of transportation, obliged us to practice the strictest economy. The anthracite, as you know, is so near, that it can be transported without expense—but we were in want of the means of making it burn. This furnace, then, will be a monument which will perpetuate the generosity and the devotion of our friends in America, to the poor travellers across the "high Alps," by the great St. Bernard. Gratitude will owe these benefits to that pious sentiment, which so deeply interests the friends of humanity in the unfortunate. Your humble servant, BARRAS, *chan. reg.*

*St. Bernard, April 26, 1833.*

SIR: The experiment made by Mr. Jaynisch, on the burning of the anthracite in the furnace that you had the kindness to send to us, was crowned with the most complete success. We have now only to thank you, and beg you to be the interpreter of our sentiments of deep gratitude, to the generous benefactors who have united with you in kindness to us. Your very humble servant, BARRAS, *chan. reg.*

The following is an extract from the gentleman above alluded to, a scientific traveller and friend, who was fortunately at the Hospice on its arrival.

*Hospice St. Bernard, 26th April, 1833.*

MY DEAR SIR: It is with the greatest gratification and pleasure that I can communicate to you the fulfilment of your wishes to erect the stove which you had the kindness to send to the St. Bernard. In this time of the year, when the snow reaches Lydde, 4 miles below St. Pierre, it was with the utmost difficulty for me to bring it up. Till Lydde, it was brought on wagon; from there I took six men, who brought in pieces to the summit. The construction was very difficult, because several pieces were broken when I opened the case. * * * Notwithstanding all this I succeeded to burn the coal, which is more a plumbago than anthracite. Twice yesterday the stove was in full operation, and the joy of the brethren has no boundary. They remember you and your dear family with the greatest gratitude. To morrow I shall go down with the mariner and the dogs, because the weather is very stormy, and the snow enormous. Your most obedient servant, L. JAYNISCH.

P. S. I hope you will excuse my good English, my dictionary is 6,000 feet below.

*Account, rendered to those concerned, of money received and expended.*

| Cr. | | Dr. | |
|---|---|---|---|
| Ed. Laight, esq. | $10 | Bill of stove | $25 |
| W. Moore | 10 | Remitted to Martigney, to pay the expense of getting up mountain | 10 |
| Fred. Prime | 10 | Transport from Havre to Martigney, per bill, De la Roche, &c. | 23 |
| Miss Douglass | 18 | | |
| J. McVickar, (balance) | 18 | | |
| | $58 | | $58 |

The thanks of the monks of the Hospice are hereby presented to the above named gentlemen, and also to Messrs. Nott & Co.

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who liberally put their stove at cost price; Messrs. Bolton, Fox & Livingston, in whose vessel it went freight free to Havre; and to Messrs. De Rham, Iselin and Moore, who kindly undertook the charge of its safe remission to Martigney.

## FOREIGN MINISTERS AND AGENTS OF THE U. S.

FROM THE GLOBE.—OFFICIAL.

*Department of state, June 19th 1833.*

*List of ministers, consuls, and other diplomatic and commercial agents of the United States in foreign countries, and of the places of their residence.*

ENGLAND, &c.

Aaron Vail, charge d'affaires, at London.

—— ——, secretary of legation, at London.

Thomas Aspinwall, agent, &c. and consul, at London.

*Consuls.* Francis B. Ogden, at Liverpool; Herman Visger, at Bristol; Robert W. Fox, at Falmouth; Thomas Weir Fox, at Plymouth; Albert Davy, at Kingston upon Hull; Robert R. Hunter, at Cowes, Isle of Wight; Joel Hart, at Leith, Scotland; Alexander Thompson, at Glasgow; Thomas Wilson, at Dublin, Ireland; Reuben Harvey, at Cork; Thomas William Gilpin, at Belfast; Horatio Sprague, at Gibraltar; Paul Froberville, at Isle of France; Thomas Wynns, at Turks' Island; —— ——, at Demerara; Peter Lanman, at Kingston, Jamaica; Paul Eynaud, at Island of Malta; Moses Benjamin, at British Guyana; Thos. M. Perrse, at Galway; John Morrow, at Halifax, Nova Scotia.

*Commercial agents.* W. Tudor Tucker, at Bermuda; George [illegible], at St. Christopher and Antigua; Charles L. Bartlett, at [illegible] Trinidad; John Haly, at Barbadoes; William Carroll, at Island of St. Helena.

FRANCE.

Edward Livingston, envoy extraordinary and minister plenipotentiary, at Paris.

Thomas P. Barton, secretary of legation, at Paris.

—— ——, agent, &c. &c. consul, at Paris.

*Consuls.* George Strobel, at Bordeaux; Daniel C. Croxall, at Marseilles; Francis C. Fenwick, at Nantes; Edward Church, at L'Orient; Reuben G. Beasley, at Havre de Grace; Samuel Allison, at Lyons; Theodore Privat, at Cette; James Joseph Debesse, at La Rochelle; —— ——, at Martinique Island.

*Consular commercial agent.* Peter Suau, at Guadaloupe Island.

SWITZERLAND.

John G. Boker, consul general, at Switzerland.

RUSSIA.

James Buchanan, envoy extraordinary and minister plenipotentionary, at St. Petersburgh.

John Randolph Clay, secretary of legation, at St. Petersburgh.

*Consuls.* Abraham P. Gibson, at St. Petersburgh; John Ralli, at Odessa; Henry Schielen, at Taganrog; Edmund Brandt, at Archangel.

SPAIN.

Corn. P. Van Ness, envoy extraordinary and minister plenipotentiary, at Madrid.

Arth. Middleton, jun. secretary of legation, at Madrid.

*Consuls.* Alexander Burton, at Cadiz; William Stirling, at Barcelona; —— ——, at Valencia; George G. Barrel, at Malaga; George B. Adams, at Alicante; Maximo de Aguirre, at Bilboa; A. H. P. Edwards, at Island of Manilla; Payton Gay, at Island of Teneriffe; George T. Ladico, at Balearic Islands; Nicholas P. Trist, at Havana, Cuba; Robert R. Stewart, at Trinidad, Cuba; Lewis Shoemaker, at Matanzas, Cuba; John Owen, at Puerto del Principe, Cuba; Hopeful Toler, at Ponco, Porto Rico; Sidney Mason, at St. Johns, Porto Rico.

*Commercial agents.* John Leonard, at St. Jago, Cuba; Henry K. Stearns, at Barascoa, Cuba; William H. Tracy, at Guayama, Porto Rico; Sampson C. Russell, at Mayaguez, Porto Rico.

PORTUGAL.

Thomas L. L. Brent, charge d'affaires, at Lisbon.

*Consuls.* Israel P. Hutchinson, at Lisbon; —— ——, at Oporto; John H. Marsh, at Island of Madeira; Charles W. Dabnea, at Fayal; William G. Merrill, at Cape de Verd Islands.

NETHERLANDS.

Auguste Davezac, charge d'affaires, at the Hague.

*Consuls.* John W. Parker, at Amsterdam; John Wambersie, at Rotterdam; Wm. D. Patterson, at Antwerp; Thomas Trask, at Surinam; Louis Paimboeuf, at Island of Curacoa; John Shillaber, at Batavia; Louis Mark, at Ostend; Jehu Hollingsworth, at St. Eustatia.

BELGIUM.

Hugh S. Legare, charge d'affaires, to the king of the Belgians.

AUSTRIA.

*Consuls.* Charles Barnet, at Venice; Geo. Moore, at Trieste; J. G. Schwartz, at Vienna.

GERMANY.

*Consuls.* Frederick Kahl, at Darmstadt; Frederick List, at Duchy of Baden; Robert Rucdoffer, at Munich.

SWEDEN.

Christopher Hughes, charge d'affaires, at Stockholm.

*Consuls.* David Erskine, at Stockholm; C. A. Murray, at Gottenburg; Helmich Janson, at Bergen; —— ——, at St. Bartholomew.

DENMARK.

Henry Wheaton, charge d'affaires, at Copenhagen.

*Consuls.* John Raynals, at Copenhagen; Nathan Levy, at Island of St. Thomas; Joseph Ridgway, at Island of St. Croix.

PRUSSIA.

*Consuls.* William T. Simons, at Elbervelt; Frederick Schillow, at Stettin.

SAXONY.

*Consul.* C. F. Goehring, at Leipzig.

HANSEATIC TOWNS.

*Consuls.* John Cuthbert, at Hamburg; Joshua Dodge, at Bremen; —— ——, at Lubec; Ernest Schwendler, at free imperial city of Frankfort on the Maine.

ITALIAN STATES.

*Consuls.* Thomas Appleton, at Leghorn; James Ombrosi, at Florence; Robert Campbell, at Genoa; Victor A. Sasserno, at Nice.

ROMAN STATES, AND KINGDOM OF THE TWO SICILIES.

*Consuls.* Felix Cicognani, at Rome; Alexander Hammet, at Naples; Benjamin Gardner, at Palermo; John L. Payson, at Messina.

SMYRNA.

*Consul.* David Offley, at Smyrna.

BARBARY POWERS.

*Consuls.* Samuel D. Heap, at Tunis; Daniel S. McCauley, at Tripoli; James R. Leib, at Tangier.

*Commercial agent.* —— ——, at Algiers.

UNITED MEXICAN STATES.

Anthony Butler, charge d'affaires, at Mexico.

*Consuls.* James S. Wilcocks, at Mexico; George R. Robertson, at Tampico; Thomas Reily, at Auguatulco; Harvey Gregg, at Acapulco; James James, at Vera Cruz and Alverado; Daniel W. Smith, at Metamoros, or Refugio, [illegible] Grande; John S. Langhams, at [illegible] James Davis, at Sta. Fe; James W. McGoffin, at Saltillo; Henry Perrine, at Campeche; James Lenox Kennedy, at Guaymas, Mazatlan and San Blas; David G. Burnet, at Galvezton; —— ——, at San Antonia; —— ——, at Guazacoalco; C. W. Davis, at Petie and Guaymas; Daniel N. Pope, at Tobasco; John W. Langdon, at Laguna, I. del Carmen.

REPUBLIC OF COLOMBIA.

Robert B. McAfee, charge d'affaires to New Granada, at Bogota.

*Consuls.* John M. Macpherson, at Carthagena; J. G. A. Williamson, at La Guayra; Alexander Danouille, at Santa Martha; —— ——, at Guayaquil; —— ——, at Maracaybo; Franklin Litchfield, at Porto Cabello; J. B. Ferrand, at Panama; Thomas F. Knox, at Angostura.

BRAZIL.

Ethan A. Brown, charge d'affaires, at Rio de Janeiro.

*Consuls.* John Martin Baker, at Rio de Janeiro; Woodbridge Odlin, at San Salvador; John T. Mansfield, at Pernambuco; Abraham R. Smith, at Para; Joshua Bond, at Montevideo; Charles B. Allen, at Island of Maranham; Isaac Austin Hayes, at Rio Grande; George Black, at Santos; Lemuel Wells, at Island St. Catharine.

REPUBLIC OF CENTRAL AMERICA.

Charles G. De Witt, charge d'affaires, at Guatemala.

*Consuls.* Charles Savage, at Guatemala; G. Coursault, at Truxillo.

REPUBLIC OF BUENOS AYRES.

—— ——, charge d'affaires, at Buenos Ayres.

*Consul.* —— ——, at Buenos Ayres.

CHILE.

John Hamm, charge d'affaires, St. Jago de Chile.

*Consuls.* Thomas S. Russell, at Valparaiso; Daniel Wynne, at St. Jago de Chile.

REPUBLIC OF PERU.

Samuel Larned, charge d'affaires, at Lima.

*Consuls.* William F. Taylor, at Quilca, Arica and Arequipa; Asa Worthington, at Lima; —— ——, at Payta.

HAYTI, (ST. DOMINGO.)

*Commercial agents.* F. M. Dimond, at Port au Prince; William Miles, at Aux Cayes; Samuel Israel, at Cape Haytien.

SANDWICH ISLANDS.

*Commercial agent.* John C. Jones, jun. at Sandwich Islands.

CHINA.

*Consul.* John H. Grosvenor, at Canton.

TURKEY.

David Porter, charge d'affaires, at Sublime Porte.

William B. Hogsden, drogoman, do.

*Consul.* Frederick E. Bunker, at Constantinople.

LIST OF CONSULAR AGENTS RECENTLY APPOINTED.

| *Agents.* | *Places.* | *Date of appointment.* |
| --- | --- | --- |
| W. B. Llewellen, | Salonica, | 21st December, 1831. |
| Dalmas Devenant, | Stancho, | 11th January, 1832. |
| Emanuel Samarissa, | Tenedos, | 11th January, 1832. |
| John Gliddon, | Alexandria, | 12th January, 1832. |
| Jasper Chasseaud, | Damascus, Beiront, Balbec, Said, and the towns within their limits. | 12th January, 1832. |
| David Darmon, | Jerusalem, and the city and port of Jaffa, | 19th April, 1832. |
| D. Bonnal, | Canea, | 11th July, 1832. |
| Nich's Luca Perick, | Bronsa, | 11th July, 1832. |
| Dr. Marino Lazzaro, | Dardanelles, | 9th October, 1832. |

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 21—VOL. VIII.] BALTIMORE, JULY 20, 1833. [VOL. XLIV. WHOLE No. 1,139.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The editor has not only neglected his usual correspondence with many valued friends, but been compelled to postpone the presentation of several long papers, on important statistical subjects, for which the chief materials were collected some months ago—not on account of what may be properly called bad health, but because of a general inability to labor with his mind or body as heretofore—and both need a brief relaxation, to regain strength. For the last twenty-two years, the editor truly believes that he has been engaged in actual *business*, (and nearly all at the desk), not less than fifty-four hours a week, for an average of the *whole* period, and it is not at all extraordinary that he should, sometimes, feel the general inability spoken of. Every bow, if expected to retain its elasticity, must now and then be unbent; and it is the present intention of the editor, in the course of a few days, to start on a journey that will occupy four or five weeks—hoping to return and resume his seat with a renewed power to merit the liberal and kind support which he receives.

In the mean time, the ordinary business of the REGISTER will go on as usual, and he also expects to contribute much to its contents.

☞Certain movements are making with a seeming design to create a new and premature and ardent *agitation* of the tariff question. We hoped that this might have been avoided, at least "for a season"—and shall not do any thing to *provoke* it; though it is our intention to do all that we can to keep the PROTECTING PRINCIPLE alive, and convince the *people* of the United States of the necessity of perpetual vigilance; and that, though the friends of domestic industry have been brought to a pause, they must not suffer themselves to be disunited, nor permit a suspicion to prevail that they have abandoned their opinions, in despair of the future. BETTER TIMES ARE A-HEAD! Facts will present themselves to dissipate the fool-notion, that high duties, on goods imported, are necessarily burthens on the people—and to show that they oftentimes are most substantial benefits—THAT PRICE IS ALWAYS MEASURED BY THE MEANS OF PAYING IT; and *that three-fourths of the interest in* MANUFACTURES *is in the* OWNERS AND CULTIVATORS OF THE SOIL. As JOHN ADAMS said in 1776, when supporting the claims of his country to independence, we say—that "*sink or swim, live or die, survive or perish, we give our heart and hand to this measure,*" in a solemn belief that the protection of free labor in the United States is indispensable to the peace, liberty and safety of our countrymen; and that the enjoyment of such protection is a "natural and unalienable right."

With the views just stated, we propose, in the course of a few weeks, to commence a regular and calm discussion of principles, *and their effects*—with the hope of being able to present some things in such lights as will give confidence to the friends of the "AMERICAN SYSTEM," and weaken the virulence of its *mistaken* opponents. Of those who have *used* "the tariff" to accomplish their own treasonable or ambitious purposes, we have no hope; and, if they *will* go headlong to destruction—why let them! There is no class of persons, in our opinion, so deeply interested in the preservation of that "system," as those who most violently oppose it. Passion will not permit them to observe the "SIGNS OF THE TIMES." We shall hoist the banner to the head of the mast—not in *defiance*—but as evidence of our confidence in the justice of the cause, with a consciousness, also, of an ability to keep it proudly floating there. We—though only of the rank of a "cabin boy," will NOT "*give up the ship*," until the captain [which is the people], shall say "douse the stripes and stars!" That "command" being heard, we shall humbly submit—but, until then, have resolved to do what we think is "duty."

We learn from the "Pennsylvanian" that the health of the president is tolerably good, considering the fatigue he has recently encountered," and "that he will probably retire for a short period from Washington, to enjoy the cool breezes and bracing air of the Rip Raps."

We insert the address of Mr. Biddle, on laying the corner stone of the Girard college, at Philadelphia, as well because of the beauty of its composition, as for the liberal and enlightened principles which it proclaims.

The letter mail bag, or "Pouch," was missed between New Brunswick, (N. J.) and New York, in the night of the 5th inst. and no doubt stolen. The postmaster, at New Brunswick, in offering a reward for the recovery of the mail, &c. gives a list of checks and drafts which are known to have been in the mail, and also mentions considerable sums of money, which had been also reported to him.

Under the head of "electioneering in Vermont" will be seen a new move in politics. The Jackson and anti Jackson parties have united, to put down the anti-masonic—which is stronger than either of the other two, but much weaker than the two united.

The violence to which parties have proceeded in this state, cannot be duly esteemed by the people of the south and west, who are free from the "anti-masonic excitement"—which does not appear to have reduced its action, though the masonic lodges have generally surrendered their charters and dissolved themselves, as we see it stated in some of the Vermont papers; and it is on this ground that the national republican and Jackson parties have "coalesced."

The fathership of nullification is disputed in South Carolina. The *honor* having been claimed for gov. Hamilton, has produced considerable discussion. The parties acknowledge Mr. Jefferson as the original of the doctrine—but they have not agreed upon the author of its revival. We rather think that it belongs to Dr. Cooper, and see that he was so toasted on the 4th of July, at Columbia:

"*By Dr. M. H. Deleon*—The father of nullification, Dr. Thomas Cooper: He has been the patron of free principles in two hemispheres, and is most valued where he is best known."

Our much esteemed fellow townsman, *Charles S. Walsh*, esq. late secretary of legation of the United States, at Madrid, died on a journey from that city towards Valencia, whither he was proceeding for the sake of his health—being afflicted with a confirmed consumption. He was a gentleman of fine talents, and highly accomplished, and only 32 years old.

One petition has been presented to the British parliament for the immediate abolition of negro slavery, that was signed by 800,000 women—and another by nearly 200,000 more. The whole number of signers seems to have been almost two millions! The question has become a *national feeling*—and such feelings, in seeking their own gratification, pay little respect to consequences; and things which may be right in themselves, are oftentimes brought about in a wrongful manner. It seems almost beyond a doubt, that slavery will be abolished, and speedily, in the British West Indies.

There has been a grand display at the court of England. The queen, the princess Victoria, heiress of the throne, and her mother, the duchess of Kent, were splendidly dressed—all the particulars of which are described, and every article, it is proudly stated, was of "*British manufacture*."

This is right. The lord chancellor significantly sits upon a sack of wool—but a late American "statesman" said that "he would go twenty rods out of his way to kick a sheep!" How uneasy then would *he* have felt on the wool-sack, sitting as lord chancellor of Great Britain!

There has been a great deal of excitement, and sundry revolutionary movements in *Mexico*—in which blood was shed. The *bottom* of the business may, perhaps, be understood by



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quoting the following article set forth by one of the bands of conspirators:

"Art. 1. This garrison protests that it will sustain at all hazards the holy religion of Jesus Christ, and the canons and privileges of the clergy and of the army, threatened by the intruded authorities."

We had hoped that the day of such things was nearly passed away. The religion of Jesus Christ is not one of persecution or blood-shed. The fanatics were put down. Santa Anna had behaved well.

A letter from Vera Cruz dated June 15, says—

"There has been another revolution attempted in the interior, but is so nearly smothered as to cause no fears. Energy pervades every department, and the states are all in arms to support it. This crusade will end like all others—in disaster to the the party that got it up. Santa Anna was betrayed and made prisoner by Arista, but escaped. A death blow will now be given to the priests and gauchupins as well as their friends; many have been seized and made prisoners. Among them are numbered Terran Fontula and Almiranti; and of Mexicans, Ramera Serna and Moraud, (exteandi of veraneas), &c. Depend upon it all is safe, and it will make the government stronger and more respected."

The king of Spain has resolved to establish the succession on his infant daughter Maria Isabel Louisa, in failure of a male offspring, and had summoned those who have a right to vote in the cortes to appear in the church of the royal monastery of St. Jerome on the 20th June last, to take the oath of allegiance to her.

Spain is filled with highway robbers and church robbers—and some of the provinces are almost covered with locusts.

Mr. *Webster* arrived in Baltimore late in the afternoon of Monday last, and departed in the steamboat for Philadelphia next morning, at 6 o'clock, A. M. He expressed great pleasure in having witnessed the wonderful growth and prosperity of those parts of our country which he had visited—and seemed much gratified with the generous and kind attentions which had every where been paid to him, and by persons of every political party.

We received yesterday the "Pittsburg Gazette" of the 16th, containing a sketch of Mr. Webster's speech delivered in that city, as reported by Mr. M. T. C. Gould, the stenographer—which we shall publish next week.

We have a copy of col. *Drayton's* farewell address to the Washington society at Charleston—and shall give it a place, on several accounts.

The present year will be long and awfully remembered in *Kentucky*—for the "scourge of the human race," the mysterious and terrible cholera, has passed over most parts of the state, and, in some, decimated the people in ten or twelve days—and then retired, as if appeased with the sacrifice made! Many of the best and most valued inhabitants of Kentucky have fallen victims to this disease. It seems to have abated, in general—but at some places still fearfully raged. It will afford pleasure to many to learn, as we have been informed—that Mr. *Clay*, and his family, had not been afflicted.

We have just received a letter from a highly respectable gentleman, resident in the south-western part of *Louisiana*. He speaks of the cholera in fearful terms—and says that some of the planters have lost *one-fourth* of their working hands! And even when it shall please Providence to arrest the disease, it is believed that a large part of the growing crops will perish—for the want of laborers to secure them in season.

The cities and towns on the sea-board of the United States are, in general, rather more healthy than is usual in the present season of the year. We do not hear of cases of cholera in any of them.

It is not easy to imagine the march of population and business in the "great west." Think of thirty-five huge steamboats lying at *Louisville*, at one time, receiving or discharging their cargoes—then look at the map and see where that city is located! Proceed north, and enquire what is doing on the shores of lake Erie, &c. where the Indian had his "home" less than 20 years ago, when the tomahawk and scalping knife of the savage were bathed in the blood of our people, and the wildness of desolation had perfect dominion! In the present year, up to the 13th inst. there had been 230 arrivals of vessels at the port of *Cleveland*, (last year, for the same time, only 142) and about as many departures! Then think of lands being leased in *Cincinnati* at the yearly rent of 33 dollars the foot front—about three dollars an inch! Such are mere types of the mighty benefits which are flowing upon us, because of the protected and excited industry of laboring freemen.

"The inclined planes." We never passed these planes on the Baltimore and Ohio rail road without some degree of apprehension, until Monday last, when returning from Frederick—though assured that all necessary guards for the safety of passengers had been provided, and were daily examined, lest they might get out of order. This confidence was the result of an accident which happened on the preceding Saturday. When descending the plane No. 3, at a rate of not less than ten, and perhaps of twelve miles an hour, being near the foot of it—the horse fell; but such was the vigilance of the driver and his assistant, and so great the power of the breaks, that the heavily laden car was stopped before any of us knew the cause of it, and the horse did not appear to have suffered an injury, *though his hind legs were lying on the rail!* He was much frightened—but, gathering himself up in one or two minutes, he was put into his place again, and performed the remainder of his trip with a fine spirit, and at perfect ease. On being released, we could not observe any lameness, or hurt—though some one said that a part of his skin, "of the size of a cent," was rubbed off.

The knowledge thus obtained will render it hard in us to excuse an accident happening at the inclined planes; for, unless because of some very *extraordinary* circumstance, it must be the result of pure carelessness. And against that we have the best guaranties possible, in the *interest* of the company, and the employment, only, of steady and discreet and respectable persons, having charge of the cars. We have frequently travelled the whole line of this road, and never once observed the least disorder in the management of the transportation—so far as the *safety* of individuals was concerned; but must add —that there is a great want of attention to seeming trifles that add much to the *comfort* of travellers, and which, without interfering with the urgency of journies on business, induce persons to make pleasurable excursions, and to take their wives and children with them.

### THE CHOLERA.

We shall give up, for the present, our brief notices of the progress of the cholera, through the west—for we observe that they are subject to numerous errors.

The disease has swept over nearly all *Kentucky*—and in several places it carried off *one-tenth* of the inhabitants! It still raged in some of the small towns, and in certain of the counties—but, on the whole, seemed to be decidedly retiring. In one instance, 12, out of a family of 13, had died!

A few cases now and then occur in different parts of Ohio, Tennessee, Alabama, Missouri, (Western) Virginia, Louisiana, and at Pittsburg, &c. and in Maryland, near Williamsport, among the laborers on the canal.

A letter dated Williamsport, July 9, says—"A very appalling circumstance occurred among the first cases which we had. On the afternoon of Sunday week, a female was attacked at one of the shanties, a mile above town, and a messenger was despatched for the doctor instantly. Dr. Finley went up and remained a time with her, but her situation was such when he got there, as to preclude all hope of recovery. He returned to town, and had scarcely taken his seat in the house, when another messenger came for him with the tidings that the man who *first* came for him was very sick. He remounted his horse to visit him, and found him in the collapsed stage. He died in four hours from the first attack, and when he seemed in perfect health. The men have all deserted the line for miles above us, and more than 500 men have gone off during the week. They have not removed a great distance; some have rented cabins and huts in the country above; others have gone to the national road, near Cumberland; and many (as I was informed by a gentleman yesterday) have erected shanties in the mountains to remain in until health is restored. Eight cases occurred yesterday after dinner, and all are dead."

New Orleans is not restored to health—but the number of deaths is comparatively small. On the 25th ult.—36. A letter of a later date says the interments were only 15. Present population about 30,000.

The cholera was raging with great malignity in Lisbon, at the date of our last accounts.

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A Frankfort, (Ky.) paper says: "In many parts of this county chickens and other fowls have died in great numbers with all the symptoms of cholera. A gentleman of our acquaintance administered *spirits of camphor* to several chickens which were apparently near death, and they instantly revived and speedily recovered."

PICKPOCKETS, &c. The whole country seems infested with sharpers, pickpockets, and other robbers of the meanest and most scoundrel-like grade. We almost every day hear accounts of their depredations and in large amounts. England seems to have the honor of giving birth to a majority of these "artists." The highway robber stands in the relation of a gentleman to a boor, when compared with such sneaking villains. We hope that the legislature of Maryland will, at the next session, "give rank" to pickpockets and their kindred, by placing their offences highest on the list of crimes against property, except man-stealing—that persons convicted may be taken care of, and taught to apply their nimble fingers to the hammering of granite, for a goodly number of years, without a hope of pardon, before the termination of the periods in which they shall be sentenced—for the *hearts* of these persons must be "desperately wicked." Gangs of them followed the president in his tour, and, probably, abstracted pretty near 50,000 dollars from the pockets of honest men, collected in crowds to pay respect to the chief magistrate—and Black Hawk also yielded them a rich harvest. They are provided with many *scientific* instruments, and are exceedingly dextrous in the use of them. They are generally well dressed, and have the manners of respectable persons, and press round individuals on board of steamboats, &c. when called upon to pay their fare, to discover the pockets in which money is deposited, &c.

AMERICAN NAVIGATION. Never was the effect of protection more clearly demonstrated than in the success which attended *the nursing of our navigating interest*. It was *protected*—EFFICIENTLY PROTECTED, from the start of our government, as well by high *discriminating duties*, as by the CANNON LAW of the nation, for twenty-five years—and then had reached such power as not only to protect itself, but to demand, even of England, a relaxation of *her* navigation laws, and obtained it! With the same policy extended to manufactures, resolute and unyielding as applied to navigation, and to be relaxed only on the principles of pure reciprocity in trade, the like success would have attended that far more important branch of industry, within the same period; and we might already have said, to all the world, we will receive your goods on a simple revenue duty, if you will so receive ours—with this consideration, however, whether the American laborer, who eats meat freely three times a day, if he pleases—should be placed in competition with an European laborer, who cannot eat meat, freely, three times in a week!

These thoughts occurred on reading the following from the London "Times" of the 28th May last—

No question of commercial, financial, or economical policy has ever excited greater interest or anxiety among the great body of merchants, ship owners, and tradesmen of the metropolis, connected with the traffic or the supply of the colonies, than the proposed abolition of negro slavery: accordingly, no city meeting was ever more numerously attended, or more zealously watched, than the assemblage of the West India body collected yesterday at the city of London tavern.

We were rather amused to observe the dexterous manner in which a certain honorable ship owner attempted to repeat his old objections to the "reciprocity system" on a question of negro emancipation; but we cannot think that his execution was so happy as his design. His allusion to America was certainly very unlucky, and his want of success ought to counsel him not to venture beyond the Sound or the Baltic trade. The proportion of our trade with the United States carried on in British bottoms last year did not amount, he assures us, to more than one-tenth of that carried on in American bottoms! Has this relative quantity altered of late; and, if so, for what cause? Not, surely, from the reciprocity system, which has existed with the United States of America since 1815, and which, indeed, was founded on a treaty that subsequently became the model of all our similar compacts with other commercial and maritime states.

The Americans refused to trade with us on any other conditions, and what we were obliged to concede to the powerful government of the United States we could not refuse to the more feeble commercial navies of northern Europe. Hence the origin and justification of that change in our navigation laws which Mr. Young is so zealous to condemn, but which no English government could at first have prevented, or can now alter, without entailing on ourselves greater evils than we inflict upon others. We may mention by the way, for Mr. Young's benefit, that the Americans have in this respect followed the policy of Great Britain, and that still their enterprise is such as to give them a manifest advantage over all other nations who take their produce or trade to their shores. In the year ending September, 1830, of a total of imports amounting to the value of $70,876,920, only 4,841,181 were imported in foreign vessels!!

EGYPT. This empire, or kingdom, or by whatever name it may be called, is now more powerful than that of the Ottoman Porte. The "slave" has, at least, become the equal of the "master;" the vassal, with more tact and talent, energy and ambition, has dictated terms to his lord—and won, for himself, independence and sovereignty—as well as obtained means to compel a due respect for both. Thus an old nation (under new circumstances), is restored—and Egypt, if the policy of Mehemet Ali is pursued, may again become a distinguished seat of the arts, as well as of arms; and, exerting a mighty influence over the adjacent tribes, or nations, materially change the character and conduct of many millions of the human race—reaching even the dark centre of Africa, and gathering under one head the whole of the Arab races, those alone excepted whose "home" is in the desert, and "whose hands are against every man."

Neither the present population or extent of Egypt (proper) as now established, seems settled, because that the extent of the new territories in the south, is not ascertained. A large part within its limits is in deserts; but the valley of the Nile is exceedingly fertile, and there are large tracts of tillable land high up that famous river. The population that was subject to the pacha of Egypt has been estimated at from 2½ to 4 millions. We should suppose it nearer to the latter than the former. Syria, a vast country, is added, with a population of more than 2,000,000; Adana, which lies on the north eastern part of the Mediterranean, is populous—and the island of Candia, happily located, has about 300,000 inhabitants; and to these is yet added, in fact, the whole of cultivated Arabia, with the charge of the "tomb of the prophet," &c. having absolute jurisdiction over Jerusalem, or Palestine, now included in Syria. We should roughly guess, that the whole population under the influence of the Egyptian sceptre, or sword, cannot be less than ten millions, and, perhaps, may considerably exceed that amount—inhabiting what has been, (and again may be), some of the most delightful regions of the earth—fitted to all the occupations of man in the highest state of civilization and refinement, and which, under a good government, would soon again teem with densely placed millions of people.

The opening of a canal, or making of a rail road, (either of which is within the means of Mehemet Ali), from the Mediterranean to the Red Sea, would have as great an effect, on his country, as the introduction of steamboats has yet had on our own mighty rivers of the west, and restore Alexandria to her ancient rank as a seat of commerce.

ONWARD—STILL ONWARD. We understand, says the Village Record, that a contract has been entered into by the operators of the marble quarry of John R. Thomas of the Valley, to furnish two hundred thousand feet of marble for the Girard college. The Pennsylvania rail road, when completed, will give value to many productions of the country, which, without it, might have lain dormant for centuries. We state, as a fact deserving of notice, and with the hope that it may be useful to those who have limestone or other quarries of mines, which they have either abandoned, or wrought with difficulty, from the quantity of water which impeded their progress, that a syphon has been constructed and introduced into the quarry, which conveys the water off by a constant stream, permitting and facilitating the operations of the workmen.

☞It is thus in every state of the union in which internal improvements have been made; and if the proceeds of the public lands were applied according to the provisions of Mr. Clay's bill, there is no calculating the amount of the benefit that would flow from the proceeding. The three millions that would (probably) be divided among the states every year, would, perhaps, set a new value of thirty millions, annually, into motion.

The Baltimore and Ohio rail road has caused a new business. It would be quite safe, we think, to say, that a thousand persons are now subsisted by the quarrying and dressing of granite; and the road also gives an easy access to the best quarries of limestone.

WOOL. Fifty bales of Buenos Ayrean sold at auction, in New York, at 7½ cents—sale stopped. Sales at Philadelphia—prime Saxony 60 cents—sale stopped; 65 offered and refused: full blooded merino 49 cents; ¾ and 7-8 blooded 43½ cents—sales stopped. There is a brisk demand for fine and light fleece wool.

THE OVERSLAUGH. The Albany Evening Post of the 10th inst. says—The schooner Crescent, from Martinique, with a

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cargo of molasses, to Mr. F. Quarles, of this city, has been two days upon the Overslaugh! Is it not strange—very strange—that while the West India vessels of our citizens are *constitutionally* bound to pay revenue to the United States, it should be declared "*unconstitutional*" for the United States' government to furnish for these vessels an unobstructed navigation? We should be gratified to know whether gov. Marcy does not have *queer dreams about his vote against an appropriation to improve the navigation of the Hudson river!* Nothing but the recorded evidence of the fact, could keep us assured of its existence. Duty, justice, reason and patriotism, all exclaim against the probability of such a vote! A senator in congress from the great and patriotic state of New York, and vote against a bill to improve the navigation of the noblest river in the world!! A citizen of Albany, and give a vote which cripples its commerce and blasts its prosperity!!!

THE WEST INDIAN TRADE. English vessels, says the New York Daily Advertiser, are constantly arriving at this port with cargoes from the West Indies. Here they reload with cargoes of provisions, flour, &c. and clear for St. John's, or some other near port in the province, discharge, pay the trifling warehouse duty, and proceed again with their cargoes to the West Indies. By this circuitous route they avoid the duty imposed on American produce, and succeed in securing to themselves all the carrying trade to and from the West Indies.

MOISTURE IN FLOUR. Most important researches have recently been carried on by M. M. Payen and Persoz, on the several points in the chemical history of bread, flour and grain. Their observations are not yet published in detail, but we select the following as being of the very highest commercial dietic importance. They have found, that 100 parts of flour, sold as dry, and imparting no moist stain to blotting paper, contain, under ordinary atmospheric circumstances, 19 per cent. of water, and but 81 of dry or nutritive matter; that flour exposed to moist air contains as much as 23 per cent. water, that the finest flour employed by the bakers, contains 16 per cent. under ordinary circumstances. In summer, these proportions of water are reduced, but they are remarkably increased in moist weather. Thus, the quantity of flour which by weight, at the rate of five per cent. of water, would produce 150 lbs. of bread, will produce but 127½ lbs. when the same weight of flour is purchased in long continued wet weather. The price of flour should consequently, in all seasons be based on the true quantity of dry matter it contains, and which a simple and rapidly performed experiment would exactly indicate. Thus, by placing 100 grains of flour on a plate, and heating this on a vessel of *boiling* water for an hour, the loss sustained will denote the precise quantity of water mixed with the flour. The facts ascertained by M. M. Peroz and Payen are published in outline in the last number of the Journal de Chimie. [*Lancet.*

[We some time ago noticed the apparatus of Mr. Nathan Tyson for disengaging the water from flour, when being manufactured, with a view to its better preservation in warm countries—and are happy to learn that experience amply supports the good opinion entertained of his invention. The flour thus made, will not only keep sweet longer, but must be more valuable than other flour because of the weight of the water discharged.]

CINCINNATI. We learn from the "Daily Advertiser," that ground on the public landing of that city, has been recently leased at thirty-three dollars the foot front, per annum. The length of the landing is 1,020 feet. Other instances of the great value of lots in Cincinnati are mentioned—and its rise has been rapid, within the last six or seven years.

AN IMMENSE ESTATE. It has been reported in a Philadelphia paper—that the chancellor of New York had decided in favor of the claimants in the important case of the Trinity church, which has been contested in law for many years, and which involves property to the amount of twenty-five millions of dollars; one of the principal heirs to which, we learn, is Mr. George Brewer, of Kensington, in this city, an elderly gentleman, in moderate circumstances, formerly a clerk in the old United States bank. It is stated that they have made a further claim to one hundred and thirty acres more, situated in the centre of the city of New York, which, with the other lands, will not only embrace the church, but its revenues, as well as some of the most valuable real estate in that city. This property has been a subject of dispute ever since the close of the American revolution.

The New York Journal of Commerce copies the preceding and says—"That a suit has been commenced against the corporation of Trinity church, having for its object to dispossess said church of its immense real estate in this city, is very probable, and in fact true. But in this there is nothing very alarming or very novel. Many suits have been commenced at different times against Trinity church for the recovery of this property, but they have uniformly failed, and we have no doubt this will."

WASHINGTON. The following toast was given, at Lynchburg, Virginia, on the 4th instant:

*The memory of Washington*—When temples and trophies shall have mouldered into dust—when the glory of other names shall be but the legends of tradition, and the light of other achievements live only in song—*philosophy* will rise again in the sky of our FRANKLIN, and *glory* rekindle in the light of her own WASHINGTON.

COL. DRAYTON. At a dinner of the Washington society, in Charleston, on the 4th of July, at which col. Drayton was present and presided, the following toast was offered by one of the vice presidents:

*The hon. William Drayton*—The patriot "without fear and without reproach"—estimable in private, illustrious in public life—*all the ends he aims at, are his country's.*

After the enthusiastic applause with which this toast was received by the company had subsided, colonel *Drayton* rose and returned in a handsome manner his acknowledgments for the honor done him; he then entered at some length into the questions connected with South Carolina's local politics and party divisions, and triumphantly vindicated his course in congress in reference to them, and concluded with an affecting allusion to his approaching departure from the state, bidding those around him an impressive and affectionate farewell. His parting acknowledgments and benedictions were received with deep emotion.

A TOAST. The "Pennsylvanian" finds fault with the "democratic" committee, for permitting the following toast of the late mayor of Philadelphia to be published!—regarding it as an attack upon both president *Jackson* and governor *Wolf!*

By Benjamin W. Richards, 3d vice president. True democracy—The free will and free choice of the people; it scorns alike official dictation, official patronage, and the delusive and treacherous machinery of official leaders.

MAINE. We sometime since noticed a *great sale of wild lands* in Maine, at very high prices—concerning which the "Portland Courier" says—

This subject at present excites a good deal of interest. There is a mystery hangs over it, which nobody hereabout can solve. Five or six townships of land belonging to the state of Massachusetts, after being advertised some months in the papers of several states, were sold at auction at Bangor a week or two since for a sum but little short of four hundred thousand dollars. The collection of people at the sale was very great; hundreds of them having come from a great distance. The expenses, including time and money, must have been some thousands. The minimum price at which the lands were to be put up was one dollar per acre, and they would have been sold at that price if no more had been bid. Some land dealers from this place who attended the sale, had made up their minds not to give more than seventy-five cents an acre. The sale commenced, and the bids run far above the expectation of every one, and they were finally all struck off at more than three dollars an acre, and some of the townships at nearly four dollars. Mr. Ralph Huntington, of Boston, was announced as the purchaser of the whole.

But lo! and behold, as soon as the news reaches Boston, Mr. Huntington appears in the public papers, and denies having any knowledge of the transaction, or being any way directly or indirectly concerned in it. And report says that the individual who bid the lands off is irresponsible, having no property.

Here was a pretty kettle of fish, as Paddy would say. People at the first blush, stared and laughed at what they considered the most splendid joke, the most sublime and magnificent hoax on record. But after all, is not this quite too serious a business to be suffered to pass off as a joke? Ought not the authors of it be made to smart for the deep injury they have inflicted not only on the land interest of the two states, but on a great number of individuals also? For it will for a while have an injurious effect upon land sales, and may affect many persons very sensibly.

We put the question to Mr. Coffin, the land agent of Massachusetts, who superintended the sale, whether his duty to himself and the public does not require *him* to probe this affair to the bottom, and ferret out the secret authors of it, if there are such, and arraign them at the bar of public opinion. At any rate, it is due to his own reputation to make a statement to the public of the circumstances of the sale, and if he has been deceived, to show if he can, that it was no fault of his.

VIRGINIA. The treasurer makes the following exhibit of the public funds on the 1st day of July, 1832.

| | |
|---|---|
| In the bank of Virginia | $190,229 05 |
| In the Farmers' bank | 177,574 57 |
| Total in both banks | $367,803 62 |

The statement which we annex of the amount of inspected tobacco in this state, during the year ending the 30th of June, and of the difference between this year's crop and the preceding, have been furnished us by a merchant in this city, whose name alone assures us of its correctness.

| | *Passed.* | *Refused.* | *Stock.* |
|---|---|---|---|
| Richmond | 3,371 | 3,485 | 15,165 |
| Petersburg | 2,514 | 3,285 | 1,497 |
| Lynchburg | 5,895 | 1,635 | 1,644 |
| Farmville | 1,909 | 1,800 | 146 |
| 1833 | 13,689 | 10,205 | 18,452 |
| 1832 | 14,265 | 11,957 | 16,408 |
| Decrease | 576 | 1,752 | |

[*Richmond Compiler.*

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SHIPPING AND EMIGRANTS AT QUEBEC. Comparative statement of arrivals, tonnage and emigrants, for the last four years, up to the 9th July in each year.

| *Years.* | *Vessels.* | *Tonnage.* | *Emigrants.* |
|---|---|---|---|
| 1829 | 366 | 99.961 | 6,528 |
| 1830 | 421 | 108,659 | 15,945 |
| 1831 | 497 | 130,051 | 32,327 |
| 1832 | 544 | 146,112 | 51,848 |
| 1833 | 473 | 122,827 | 12,969 |

This shews a great falling off. It is probable that the ravages of the cholera, last year, have chiefly checked emigration in the present.

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THE INDIANS. A letter from brigadier general Atkinson to the commander-in-chief, published in the Globe, states that the Winnebago Indians are removing peaceably from the ceded lands. The Pottawatonies intend also to sell out and remove beyond the Mississippi, after raising their present crop.

Black Hawk and suite arrived at Buffalo on Friday evening, the 28th ult. and left there on the Sunday morning following, in the steamboat Uncle Sam, for Detroit. They availed themselves of the opportunity, while at Buffalo, to visit the Senecas in that neighborhood.

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INDIANS IN MASSACHUSETTS. Scattered remnants of the aborigines still linger in various parts of the state; but chiefly in the south eastern quarter, about Buzzard's bay, and on the island of Martha's Vineyard. Their united numbers are about 750. They are all under the guardianship of the state government, and are not allowed to alienate their lands but by consent of the overseers appointed by the state to look after their interests. The society for the propagation of the gospel among the Indians, furnishes them with ministers and teachers. At Marshpee and Martha's Vineyard are settlements containing 660 souls, who own 18,000 acres of land in common. They are all except 50 or 60, of mixed blood, mostly by intermarriage with blacks. Some of them have gardens and cultivated fields, but their chief sources of income are the wood on their lands, the pipe clay of the island, and pasturing the cattle of the whites. Many of the young men are employed in the whale and other fisheries, and are skilful and industrious. They have forgotten their ancient names and nearly all the Indian language; most of the children read and write. [*Taunton Gaz.*

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HEALTH OF SEAMEN. *Navy department, July* 8. The fleet surgeon in the Mediterranean, under date of April 4, on board the frigate United States, writes—

"But one death from sickness has occurred in the squadron for three months, which was on board this ship, being the first victim of disease since leaving America. No death has occurred in either the Constellation or the John Adams during the last three months."

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TIME OF THE PRESIDENTIAL ELECTION. The "National Gazette" some months ago said—Among the *reforms* needed, we are inclined to place the adoption of one and the same time, and space of time, throughout the United States, for the election of electors of president and vice president of the United States. Under the present diversity of period, the results of a struggle in one state, Pennsylvania, for instance, have a sensible influence over those of others, where the election is held later: and it may happen, as is the case now, that the absolute success of a candidate is ascertained before several of the states have opened their polls. The knowledge of this fact damps zeal and exertion, and prevents many citizens from voting at all, as they then deem useless the exercise of their right of suffrage. But it is always of general importance that the real relative strength of candidates and parties in every division in the union should be determined and promulgated.

☞This is not an unimportant suggestion—and the subject may *now* be taken up, considered and decided, uninfluenced by political parties.

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THE GOVERNMENT DEPOSITES. Inquiry having been made of us why the yeas and nays, in the house of representatives, on the question of the continuation of the deposites of government funds in the bank of the United States, have never been published, we find, on examination, that the fact is so. The omission was of course accidental, or inadvertent. We have procured a copy of them, and subjoin them.

The question being stated on the 2d day of March on agreeing to the following resolution, reported by the committee of ways and means, viz:

*Resolved*, That the government deposites may, in the opinion of the house, be safely continued in the bank of the U. States.

The yeas and nays having been ordered thereupon, the question was decided as follows:

YEAS—Messrs. Adams, C. Allan, H. Allen, Appleton, Arnold, Ashley, Babcock, Banks, N. Barber, J. S. Barbour, Barnwell, Barringer, Barstow, I. C. Bates, Briggs, Bucher, Burd, Burges, Cahoon, Choate, Claiborne, E. Cooke, Bates Cooke, Cooper, Corwin, Coulter, Craig, Crane, Crawford, Creighton, Daniel, Davenport, J. Davis, Dearborn, Denny, Dickson, Drayton, Draper, Duncan, Ellsworth, G. Evans, J. Evans, E. Everett, Horace Everett, Ford, Gilmore, Grennell, Griffin, H. Hall, Hawes, Heister, Hodges, Howard, Hughes, Huntington, Ihrie, Ingersoll, Jarvis, Jenifer, R. M. Johnson, Kendall, H. King, Letcher, Lewis, Marshall, Maxwell, R. McCoy, McDuffie, McIntyre, McKay, McKennan, Mercer, Milligan, Muhlenburg, Nelson, Newnan, Newton, Patton, Pearce, Pendleton, Pitcher, Potts, Randolph, J. Reed, Rencher, Root, Russel, Semmes, Sewall, W. B. Shepard, Smith, Stephens, Stewart, Storrs, Sutherland, Taylor, P. Thomas, Tompkins, Tracy, Verplanck, Vinton, Washington, Watmough, Wilkin, E. Whittlesey, F. Whittlesey, E. D. White, Wickliffe, Williams, Young—109.

NAYS—Messrs. Anderson, Angel, Archer, J. Bates, Beardsley, Bergen, Bethune, John Blair, Bouck, John Brodhead, Carr, Clayton, Connor, Dayan, Fitzgerald, Gaither, Gordon, T. H. Hall, Harper, Hawkins, Hoffman, Holland, Horn, Hubbard, A. King, Lecompte, Lyon, Mann, Mardis, Mason, McCarty, Mitchell, Pierson, Polk, E. C. Reed, Soule, Speight, Standifer, F. Thomas, W. Thompson, Wardwell, Wayne, Weeks, C. P. White, Worthington—46.

So the resolution was agreed to. [*Nat. Int.*

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MEXICAN REPUBLIC. We deplore the never-ending disturbances that take place in the new states of the south—but must confess that we expected no good for the people of them so long as they permitted the existence of an *established* religion. We refer not to any particular church. It is no matter what it is. But it is the quintessence of folly, to speak of *liberty* and *justice* in connection with an *established church*. It is the principle of the latter to domineer over and oppress the people, that the "fat things" may be gathered by the priests.

*Extract of a letter, dated Vera Cruz, June 15th.*

"A disturbance having taken place on the 30th ult. in the neighborhood of Mexico, the president, gen. Santa Anna, left the city with a small division to quell it. A few days subsequently the troops declared against the government, and placed Santa Anna under arrest; at the same time the officer concerned in the conspiracy published that he was at their head, and that he directed their movements. It was generally believed and we anticipated the proclamation of centralism. Fortunately one of his aids-de-camp escaped, and informed the vice president that Santa Anna was really a prisoner, and not concerned in the revolution, declaring that he would rather suffer death than prove a traitor to his country. This caused the people to rise *en masse*, and although the rebellion party threatened Mexico and Puebla, they did not succeed. Both places were well prepared to resist; meantime no information being received from Santa Anna, the business became very mysterious, and great doubts were generally entertained yesterday at mid day, when an express arrived from Puebla, bringing the welcome information, that he had escaped from those who pretended to proclaim him dictator, and kept him a prisoner; that he was not concerned in the rebellion, and had escaped only with one officer of the guard placed over his person. In Puebla there was a strong force, of which he will now take the command. This revolution may, therefore, be considered at an end, and we presume measures will be taken to secure tranquillity on a firm basis."

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FRANCE AND THE UNITED STATES. The Paris correspondent of the New York Courier, under date 23d May, furnishes the following information:

In the "*Tribune*," I find the following, which may perhaps interest you:

"The Constitutionnel asks ministers the following question: 'Is it true that the treaty with the United States has experienced a commencement of *financial* execution?' Is it true that a bill of *five millions* drawn on the French treasury, has been presented and paid within the last few days?"

"We assure the Constitutionnel, (says the Tribune)—to whom ministers will no doubt reply by a flat denial—that the treaty in question has been in the course of provisional execution for a long time past. Not only has the bill of which this journal speaks been accepted, but the treasury has entered into a number of other engagements, and has also given up securities. And it is expected that these preliminary arrangements will be urged to enforce the financial sanction of the treaty, if even it should be discussed. These fresh millions have been paid, and will continue to be paid, in like manner as those destined for the establishment of the Russian viceroy in the Morea, and those for the Antwerp expedition, &c."

## BRIEF NOTICES.

We are happy in being now able to state positively, that *E. D. White*, esq. of Louisiana, had nearly or quite recovered of the wounds caused by the explosion of the steamboat Lioness.

A great "haul" has been made by Mr. Constable Hays, at New York. A jeweller's store was lately robbed, at New Orleans, of property worth 15 or 20,000 dollars—and information being sent to Hays, he secured, (as it is thought) all the property, and much other valuable goods—with the fellow, an Englishman, who has been committed.

In the distribution of Utica and Schenectady rail road stock, the capital of which, it will be recollected, was subscribed several times over, the commissioners have given about $550,000 to the city of New York—$560,000 to the counties of Albany, Rensselaer, Saratoga, Columbia, Ulster and Duchess—$250,000 to Schenectady, Schoharie and Montgomery—and $610,000 to Oneida, Herkimer and the other western and northern counties of New York. The commissioners each took $10,000 of the stock to themselves.

Two boys belonging to American whale ships, have recently been taken off of Chatham island. They had been on the island

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six months, and had subsisted during that period on raw terrapins.

Among the *passengers* in the Triton, at Boston from Cape of Good Hope, are 6 zebras, 2 elephants, 2 hyenas, 2 lions, 2 ostriches, 2 large baboons, 2 hedge hogs, and 2 eagles. Two ostriches were killed on the passage by some of the beasts.

Died, in Baltimore, on the 12th inst. *Samuel Sterrett*, esq. aged 77 years—a most worthy and much beloved citizen, and one of the oldest inhabitants of this city, having grown up with it from its infancy. He was engaged in the war of independence, and in the last war—and as brave a soldier as he was an accomplished gentleman. He was the *first* representative in congress from Baltimore, under the present constitution.

The cotton factory of Messrs. L. Beebe & Co. at Watertown, New York, has been destroyed by fire—loss estimated at from 150 to 200,000 dollars, only 25,000 insured. The fire is supposed to have been caused by spontaneous combustion.

Thirty-five steamboats were lying at the port of *Louisville*, on the 24th ult. all briskly *being* laden or unladen.

A Philadelphia paper says—There are now lying at Christian street wharf in Southwark, two schooners loaded with ice taken from rivulets in New England. This ice is of an elegant transparent quality and of unusual dimensions for this season of the year, a greater part of it exceeding thirty inches in thickness.

The New York American names professor McVickar as the American traveller to whom the brothers of the monastery on Mount St. Bernard are indebted for the discovery of anthracite coal on that mountain, and for the present of a Nott stove.

A grand bull-fight was given at Havana, on the 24th of June, for the benefit of orphans who lost their parents by the cholera. Seven bulls were turned out for slaughter, and the *picadores* and *matadores* are highly applauded for their courage and dexterity.

The Duke of Bourdeaux, who was born some forty weeks or so after the death of the duke de Berri, was christened Henri Dieu-donne, *(God given)*; the Pennsylvanian calls his new sister, the little Ann Marie Rosalie, *diable donne*.

A New Jersey paper charges a person named Jacob Insley, with having violated the person of his own daughter, when only about 13 years old. Insley was 45 or 50 years of age.

The sum of £115 19s. 6d. sterling, has been remitted from Glasgow to assist in the operations of the American colonization society.

The board of commissioners under the late treaty with France, stands adjourned to the 3d Monday of October next.

It is stated that five hands with ordinary machinery, made 160 dwts. of gold in one day, on lot No. 1,052, 12th district, &c. in Georgia.

Several editors have been recently fined and imprisoned for libellous matter; and many, who have so far escaped, as well deserve it.

A newly arrived German, possessed of about 1,800 dollars, and some other valuable effects, was lately murdered at St. Louis by another German emigrant, for the purpose of obtaining the money. The murderer is in jail. The deceased came to his death by Prussic acid administered to him—after which the body was thrown into a well.

The steamboat Robert Morris lately made the trip from Philadelphia to New Castle, forty miles, in two hours and fifteen minutes.

A serious interruption (says the Cincinnati Gazette) is made in the navigation of the Ohio canal, by a break in the aqueduct over the Scioto, near Circleville. It is supposed that three weeks will be required to repair it. During this period a continuity of navigation cannot be maintained. It will continue, however, from Portsmouth to Chillicothe, and from Columbus to Cleaveland.

The United States Gazette says—The board of commissioners of the Girard estate had before them yesterday, a statement of accounts, the aggregate of which was $6,319,164 48.

The legislature of New Hampshire, recently in session, discontinued the service of a chaplain by a vote of 109 to 76.

The rev. James H. Otey, of Franklin, has been elected the first Protestant Episcopal bishop of Tennessee.

## BANK OF THE UNITED STATES.

All questions which have relation to the state of the *currency*, are important to the people of the United States—deeply interested in its contractions or expansions—or, the appreciation or depreciation of what we call "money"—as measured by the selling-value of lands, and houses, and all other sorts of "merchandise," including gold and silver, in bullion or in coin. Whether for good or evil, on the whole, the "paper-money system" is so deeply rooted with us, that we cannot cast it down without prostrating ourselves; and hence the great anxiety is—that that system, while rendering service to the public, shall cause the least possible detriment to the public. Honestly and prudently managed banks are extensively useful; they are the aliment of industry and parent of enterprise: dishonestly and imprudently managed, they must needs be a curse of the productive classes, and a despoiler of worthy men; and this curse and spoliation is certain when they fall into the hands of "scurvy politicians"—as certain banks, that need not be named, most assuredly are—or use the means afforded to advance the interests of gambling individuals, whose business it is to speculate on the wants or misfortunes of other men, and gather profit to themselves by "head work"—despising honorable labor.

We have no difficulty in locating the newly declared hostility against the bank of the United States. It rests with sets of men resolved to "*make money*"—honestly, if they can—but dishonestly, if they must. There *are* persons who, like the witch in the fable, would "disturb all hell" for "a little dog"—the meanest thing affecting their own private interest; or, like Nero, would "fiddle while Rome was in flames"—whose soul is in the acquisition of wealth, who would *almost* agree to swallow molten gold, that they might be gorged with that precious article! These are always busy—nothing escapes them; to *have money* is their "aim and end." But when such miserables connect their own selfish and base purposes with the party politics of a country—then have the people reason to be alarmed; and they should interpose, for self-preservation, against the bands of marauders—few in numbers, but powerful from the *instruments* which they employ—who, in their zeal for *the* party, do not make over-nice discriminations between truth and falsehood!—And the movement of the great wheel of the party press, is *necessarily* followed without an exercise of the judgment—as the "preservation of *the* republican party" defrauded the *people* of New York of a vote for their president, in 1824, and gave a new aspect to the general politics of our country—that certain *private* views might be subserved. And "the end is not yet."

The preceding brief remarks occurred on reading the articles which are appended. There is said to be a sudden "scarcity" of money, and it is the policy of political partizans to charge it to the bank of the United States—but, as will be seen, without a shadow of justice. That this bank has the *power* to do much injury—we surely believe; but that it has, for many years past, so exerted that power, we cannot believe. As a measure of safety, we would not renew the charter of this bank with its present power, and that has not been asked for; but is it honest to expect that the local banks should not be called upon to pay *their* debts—though they freely, (and without reason assigned) call upon *their* debtors? It appears clearly that the U. S. bank, instead of reducing its accommodations, has extended the amount of them, in the places where the present money pressure is reported to exist; but if these accommodations had been reduced, what reasonable man would have condemned the expediency of the measure, in the circumstances under which the bank is now placed? A winding-up of its affairs is demanded—and why not prepare for it as every prudent man provides himself with a new residence before the expiration of his old lease?

But the truth is—(as every person who reflected upon the subject foresaw that it would be), that the diminished extent of the *credit* for duties payable on goods imported, is the chief cause of this pressure on the *merchants*. They have had, perhaps, an average of 25 millions of the people's money in use, *without interest*—probably a larger sum, at particular times. The periods of the credits to them were reduced by the tariff law of 1832, as they ought to have been many years before; and importers, especially the English agents at New York, instead of getting a *settled capital* out of the United States to carry on and perpetually extend their business, are now compelled to make quicker returns of the *people's money* into the public treasury—and in this we suspect is the whole secret of the present pressure, if any there is. And the fact that it commenced in N. York, and is chiefly complained of there, may be offered in proof—for that city is the chief seat of the importation of English goods—the particular trade in which is generally much against the United States—the exchange on London having a direct and powerful effect on our own "money market."*

*It is almost universally the case, (except on the payment of large portions of the public stocks, and for a brief period), that, when the exchange on London is high, money is "scarce"—when at par, or below it, "plenty," in the United States. We see it stated in the "Journal of Commerce," that "the U. States bank has bought largely of bills on London at $4 79 the pound sterling"—which is less than par; and yet money is

**We clearly foresaw this—and it had no small influence in partially reconciling us to the law of 1832. We have no idea of "lending a stick to break our own heads with"—and if all the duties were payable in cash, as is usual in other countries, a reduced amount of the "protection" sought might be submitted to. Perhaps, at least three-fourths of the British goods received at New York are on British account. WHY SHOULD WE FURNISH CAPITAL TO BRITISH AGENTS?**

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"scarce" in New York. And the New York "Mercantile Advertiser and Advocate" of the 16th says—"We understand that the amount of duties secured at the custom house in this city for the first quarter of the current year, was about $5,500,000, and that since the present law went into operation, the monthly amount here has been about one million of dollars. So that if the importations which have taken place since the 4th of March, shall prove a fair average, the receipts in New York for a year from that time, will be twelve millions of dollars. From these principles it would appear that lowering duties does not necessarily decrease the revenue. We have no exact data by which to ascertain the fact, but presume there can be little doubt that, when it is considered that tea and coffee now come in duty free, as well as many other articles, the increase of importation has been considerable in some species of merchandise, otherwise the duties could not amount to a million of dollars per month."

These things render it manifest that the bank of the U. States has had no instrumentality in bringing about the pressure complained of—even without recurring to the fact, that the accommodations of that bank, instead of being reduced, to produce a pressure—have been extended, to relieve one. The reduced *credits* on duties, or excessive importations, and, perhaps, both together, have had that effect which the *charity* of the party press ascribes to the bank!

Before the act of 1832, the lawful value in the United States of the English pound sterling, was 444 cents—but its real value had averaged about 488 cents. For the sake of easier calculation, perhaps, the legal value is now established at 480 cents—or 2 cents to the penny: 479 cents, as paid by the bank, is one cent less than the legal par, and 9 cents less than the (generally) real par.

We measure the value of "money" by silver: in England it is measured by gold. The value of English money is then determined by the quantity of silver which must be sent from New York to purchase or pay for a yard of cloth worth £1 in London—and this is the *real* rate of the exchanges of money-values. Those values in France are measured by silver—and, when the pound sterling was rated at 444 cents, 1,000 *dollars* worth of goods, in France, subject to a duty of 20 per cent. on importation into the United States, paid nearly 1½ *per cent.* more duty than 1,000 *dollars* worth of goods imported from England—the "hard dollars," in each case, being paid for the articles, in France or England respectively; because that the pound sterling was *more* than 444 cents.

It is probable that the purchases of the bills on London, by the bank, have been partly induced by the wish of the directors to relieve the pressure at New York—by throwing into instant operation there, a large amount of value which, for some time, might have remained dormant—and hence, perhaps, the increased accommodations, or issues, of the bank. The bank may have, also, desired to hold a large deposite in London, (where silver is plenty), to guard against any sudden demands that may be made against it for specie.

The false valuation of the pound sterling, previous to 1832, (from 1815 to 1832), brought into the treasury, for duties, at least 15,000,000 dollars *less* than the duties on English goods imported would have amounted to, on the *real* money value of the pound sterling—488 cents, for the period stated.

We cannot suffer this note to pass without adding—that the words "par" and "real par," are used in their vulgarly accepted meaning. An ounce of gold, or pound of silver, has no more of an *absolute* value than a cart load of pumpkins—though less liable to fluctuations—because, only, that the supply and demand are more generally equalized. The time has been, in England, when 125 *legal* pounds sterling, (or more) were required to purchase the *legal* worth of 100 pounds in gold—and then we said that the exchange with England was "below par"—the measure of value in the United States being regulated by the precious metals, and in England by pieces of paper—covered with certain marks and writings, "according to law." And so it was with us—except that the *legal* value of the dollar was determined only by a certain quantity of silver, stamped in a particular manner. And the relative value between gold and silver, (as between *iron* and *tobacco*), is also unsettled—depending upon supply and demand, and differing, in different countries, at different times, under "existing circumstances"—and it appears to us a foolish as well as a mischievous error, (as we have more than once observed), to speak of exchanges on London as being at a certain premium, or so much "above par"—seeing that there is no mutually existing par; gold being the present standard of legal value in one country, and silver in the other. Why not then, as has been the practice of the bank of the United States for some time past, give the *commercial* value of the pound sterling in so many cents? This value is fixed by law, for the assessment of duties, at 480 cents—which is sufficiently near the general average of exchanges, for 15 years past, for every useful purpose; and the price of exchange being stated in cents, cannot be misunderstood by any one—as above or below the rate of values established.

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*From the Albany Argus.*

THE MAMMOTH AND THE CITY BANKS.

It is said that the United States branch bank in the city of New York, aided by the parent institution, has pushed the local banks for specie, for several weeks with unusual urgency; and that the consequence is a pressure upon the money market and restricted discounts. It is not necessary to show that the bank has a particular design in this, to establish the fact that it possesses an undue power over the local banks and over the money market; and that it may exercise the one and control the other to the injury of the banks and of the community. Whether it be the effect of its own previous over issues, or the result of a scheme to narrow the means of the local banks and to add to its own strength; the conclusion is still inevitable, that it possesses undue and dangerous powers, and that they are liable to be wielded by passion or caprice, or for sinister objects, to the public injury, if not to the ruin of individuals. It is not to be denied that the power of this institution, for evil if not for good, is very much increased by the forbearing course pursued towards it by the general government. Indeed it may be said that the money of the government, against its own wishes and interests, enables the monopoly to oppress the local banks, and to accomplish nearly any scheme of advantage or of vengeance. The immense sums kept in deposit by the government, have lent it the means not only to sustain itself *against the public opinion*, but to carry on a war, with fearful odds, against the state institutions; to cripple their means, and to restrict their ability to serve the public in seasons of pressure or of increased demand for money. It tends also to convey the impression that the bank enjoys fully the confidence of the government, and is essential to the public convenience; and that, whatever may have been the expressions of the popular opinion and expectation, and however fully that opinion may have been responded to by the executive and by the representatives of the people, it must be sustained, not only in its measure against the state banks, but in its means, however questionable, to procure the renewal of its charter. The whole subject merits the serious consideration of the government; for it is not easy to predict what may be the consequences of a continuance of the present state of things.

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*From the National Intelligencer of July 16.*

The "Globe," of the 11th inst. under the head of the "United States bank," stamps with its official sanction an article from the New York "Standard," beginning with this sentence: "It is well known that this institution has for some time past been rapidly curtailing its accommodations to the merchants, and taking specie out of the state banks." The recklessness of the writers for the "Globe," in all their statements regarding the bank of the U. States, must now be so well known to all its readers, as to satisfy them that no faith can be reposed, either in what it says, or in what it sanctions by its quotations from kindred prints. With it the bank can never do right. If its loans are extended, it shouts, "the government deposites are not safe;" if its loans are diminished, the cry is, "the community is oppressed." The sagacious "Globe" cannot "distinctly perceive" what is "the object the bank proposes to accomplish." Astonishing! and not astonishing only, but most horrible and alarming!! What! shall this bank dare to take a step without first knowing whether the great "Globe" "distinctly perceives" the motives? Shall that pure guardian of the public weal, that profound inquirer into the mysteries of currency and banking, be left in the dark respecting the fluctuations of the money concerns of our great seaports? Shall—but before we carry these alarming inquiries any further, let us take breath, and look into the facts.

"It is well known," says the Globe, "that this institution has for some time past been rapidly curtailing its accommodations to the merchants." From the phraseology employed, and the article that it is intended to introduce, it is plain that the curtailment alluded to is alleged to be at the bank and its northern offices, or in other words at the places where the revenue is principally collected, say at New York, Philadelphia and Boston. Now, in the official paper, possessed of course of the confidence of every department of the government, in constant communication therefore with the treasury, with daily access to the returns of the bank regularly received there every month, and supposed to have official sanction for statements of this nature, the public have a right to look for some regard to truth: they have a right to demand that they should not be grossly deceived by the official organ of the government on a subject susceptible of arithmetical demonstration. Has the truth been told in this instance? or are the writers for the "Globe" at their old tricks of falsehood and deceit? We have not the same free access to the bank documents at the treasury which the "Globe" has, but we challenge it to publish the figures; or, if it is asking too much to require it to prove to the country its total want of honesty in this matter, are content ourselves with asserting, upon our own responsibility, that the bank returns prove that in the points spoken of, the reverse of the Globe's "well known" assertions are the fact. If "for some time past," means between January and July, the monthly returns of the bank for those periods shew an aggregate INCREASE in the loans of all kinds at Philadelphia, at New York, and at Boston, of more than TWO MILLIONS OF DOLLARS. If, "for some time," means between

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June and July, those returns shew an aggregate increase at the same places in one month of more than ONE MILLION OF DOLLARS. Thus is the attempt of the official organ to deceive the country plainly exposed. Thus it is shewn, that, at the places where the revenues of the country are received, and where from enormous speculations in stocks and other causes a pressure for money exists, the bank of the United States has in one short month *increased* "its accommodations to the merchants" more than one million of dollars. What now, *honest Iago?* Is it not time now to turn round, and chastise this naughty bank for daring to *increase* "its accommodations to the merchants" of Philadelphia, New York and Boston?

Let us look now at another "*fact*" adopted by the veracious Globe. The writer in the "Standard" says, "the government deposites are probably eight or nine millions at this time." The "Globe" has no doubt verified this statement by examining the returns; so candid and impartial an "official" would not surely let the public be deceived on this point. But, let us look for ourselves. The total public deposites *of all kinds*, which were in April and May last nearly eight and a half millions, are shown, by the returns, to have been on the first of June not quite six millions and a half, and on the first of July the increase was less than one hundred thousand dollars. So that, during the same month that the public deposites increased one hundred thousand dollars, the loans of the bank of the United States increased, in the three great northern commercial cities, more than one million of dollars. Now, with the knowledge of these facts which the Globe has, or might and ought to have had, are not the statements which it is putting forth to the country, under its official character, (false and unfounded as they are), sufficient to disgust every friend of truth and justice, every plain and honest citizen, and every supporter even of the administration, who would not see it and the country disgraced? Is it not time that those, whose official stations implicate them with the Globe, should think of what is due to truth, to themselves, to the country, and not suffer misrepresentation to be thus decked out with the semblance of their authority?

It is proper to add—that the "Globe" has replied to the "National Intelligencer" and said—

"The discounts of the bank appear under four different names, viz: 'bills discounted on personal security,' 'bills discounted on bank stock,' 'bills discounted on other stocks,' and 'domestic bills of exchange.'

"The 'accommodations to the merchants,' are almost entirely confined to the first description of paper. The discounts on stocks belong almost exclusively to brokers and stock jobbers, and those on domestic bills, in a great measure, to men of the same description, and speculators of every kind. Now, let us see what has been the amount of discounts on personal security, which includes the accommodations to the merchants at the three places and three points of time specified by the bank.

| | *Jan. 1.* | *June 1.* | *July 1.* |
|---|---|---|---|
| Boston | $1,273,237 | 717,731 | 767,973 |
| New York | 4,490,977 | 4,488,833 | 4,576,922 |
| Philadelphia | 3,482,159 | 3,820,827 | 3,481,824 |
| | $9,246,373 | 9,027,391 | 8,826,719 |

"Thus it appears, that instead of an increase of two millions in its 'accommodations to the merchants' at these three points since the first of January last, there has been an actual curtailment of $419,654; and instead of an increase of more than one million within the last month, there has been a positive decrease of $218,982."

☞Taking this in its worst appearance, there is a seeming curtailment of only $419,654 on the great sum of $9,246,373—an amount which it is ridiculous to suppose has caused the pressure that is spoken of. But in the next paragraph the "Globe" admits that "the loans of all kinds" have been increased $2,158,791, since the 1st of Jan. last—saying, however, that they were not made to the "*merchants*—but to the *stock-jobbers*"—on deposites of stocks. The discounts on stocks have probably been increased—but it does not follow that they were made to the "jobbers." If the pressure be such as is stated, its natural and inevitable effect is to cause deposites of stocks—to obtain discounts upon them, by *real* and *regular* owners of stocks—suddenly called upon to use the means in possession to meet the emergency of the occasion; and, as discounts on stocks are the best secured, they are rightly prefered when a pressure for money exists; for we have often seen the failure of a single house followed by a long train of bankruptcies.

## TREASURY INSTRUCTION.

DUTIES ON WINES.

*From the Philadelphia Commercial Herald.*

We are indebted to a commercial friend for the following correspondence, with the remarks of the treasury department relating to the duties on wines.

*Treasury department, comptroller's office, July* 12, 1833.

GENTLEMEN—I duly received your letter of the 10th instant, stating that a diversity of opinion appeared to prevail among the importers of Madeira and Sherry wines, in relation to the reduction of the duties, which, according to the 23d article of the 2d section of the act of 14th July, 1832, was to take place on the 3d of March, 1834.

The views of this office upon the subject, having been fully explained in a communication to Messrs. —— & ——, of New York, under date of the 2d inst. I enclose a copy of it for your information. Respectfully,

JOSEPH ANDERSON, *comptroller.*

[COPY.]

*Treasury department, comptroller's office, July* 2d, 1832.

GENTLEMEN—I have received your letter of the 22d ultimo, stating that there had appeared in the public prints a reply from this office, to certain questions relative to the operation of the laws on the subject of the duties on wines—which questions, you say, from the involved form in which they were stated, not being clearly understood, you submit the following with a view of eliciting an explanation:

1. "Suppose we have wines in public store, and under the control of the custom house on the 31st December, 1833, and imported before that period, the duty secured on which shows to be more than 20 per cent. by proof of cost, and are not entitled to the reduction of 10 per cent. or excess over 20 per cent. by the act of 2d March, 1833, 1st section.

2. "Does this allowance of reduction cut off the right to claim one-half the amount of duty on the 3d March, 1834, as per 23d section of act of 14th July, 1832, provided said wines are still retained in the possession of the officers of the customs?"

According to the 23d article of the 2d section of the 14th July, 1832, the duties on wines were to be reduced, after the 3d March, 1834, one half the rates to which they were previously liable; and by the 3d section of the act of 2d March, 1833, entitled "an act to explain and amend the 18th section of an act," &c.—all wines remaining under the control of the custom house officers until the 3d of March, 1834, were to be subjected to no higher duty than would be demandable under the said 23d article of the 2d section of the 14th July, 1832.

But the 6th section of another act passed on the 2d of March, 1833, entitled "an act to modify the act of 14th July, 1832, and *all other acts* imposing duties on imports," repeals so much of the act of 14th July, 1832, and any *other* act, as is inconsistent with the act of 2d March, 1833.

As the 1st section of the last mentioned act, affects only such goods, the duties on which, by the previous laws, (whether specific or ad valorem), exceed 20 per cent. It results that the wines, the value of which will be such as to bring them within the operation of that section, will be excluded from the reduction authorised by the act of 14th July, 1832—because as to them, the last mentioned act is repealed, as has already been observed: and that as so much of that act as relates to the wines, the present specific duties on which will not be equal to our ad valorem duty of 20 per cent. has not been repealed, they will of course, be entitled to a reduction, after the 3d of March, 1834, of one-half their present rates converted into an equivalent ad valorem duty.

I deem it proper to add, that the subject of the regulation alluded to in the act of 2d March, 1833, entitled "an act to explain and amend the 18th section of an act," &c. having been to place the importation of wines before the 4th of March, 1834, upon the same footing with the importations which might be made subsequently to that day, it has been considered to be in accordance with the spirit and intention of the regulation, that such wines imported before the first of January, 1834, and deposited in the custom house stores, as would come within the operation of the 1st section of the act of 2d March, 1833, entitled "an act to modify the act of 14th July, 1832, and all other acts imposing duties on imports," to allow them to be withdrawn from the public stores after the 31st of December, 1833, subject to the same rates of duty with similar wines which might be imported subsequently to that day.

But as the wines which may be imported before the 3d of March, 1834, the present specific duties on which will not be equal to an ad valorem duty of 20 per cent. will not come within the operation of the 1st section of the last mentioned act, they will, of course, have to remain deposited in the public stores until after that day, in order to be entitled to a reduction of one-half their present rates of duty, whereby they will be placed on an equality with similar wines which may be imported subsequently to the 3d of March, 1834.

In favor of the wines of France, it is to be borne in mind, that there is a discrimination by the convention of that country of the 4th July, 1831, which discrimination is also sanctioned by law. Respectfully,

(Signed) JOS. ANDERSON, *comptroller.*

## ITEMS AND SCRAPS.

*Trade of the Susquehannah.* Five respectable persons residing at Cattawissa, on the North Branch of the Susquehannah, have published a certificate that between the 18th and 23d of May, there floated down past that village 2,688 arks, and 3,480 rafts, the latter with extra loading of all kinds of produce equal to 5,000 tons and upwards. The amount converted into tonnage, that has passed this spring on that branch, is estimated at 282,600 tons!!!

A heavy portion of this property is carried across from Ithaca to Owego, and will hereafter be transported on the railway, which will be finished next spring. 300 wagons a day, with lumber, salt and plaster, are frequently counted on the road between these two places.

*A militia outrage.* One of our most respectable citizens, a clerk in one of the banks, and a member of the society of Friends, was a few days since suddenly arrested by a militia

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fine collector, for a fine of two dollars, and thrust into Arch street prison, to the distress of a large family, and the surprise and indignation of a large number of friends. We shall endeavor to ascertain the particulars of this case, and solicit from our fellow citizens, all facts that come to their knowledge, showing the evils and barbarity of the present militia system, pledging ourselves from this time forward, to exercise every energy for its total abolition, looking upon it as we do, as disgraceful to the state and the age. [*Phil. Inq.*

*Iron houses.* The new process for smelting iron by raw coal and hot air blast, is producing a great change in iron trade; and it is anticipated by good judges, that no long period will elapse before cast iron of the quality known as No. 1, will be manufactured at the cost of about 40s. or 45s. the ton. When this takes place generally, it must inevitably produce an effect which will pervade almost every condition of society. Rich and poor will, by degrees, find themselves inclosed in iron cages; and fir joists, and slate roofs, will become things to be alluded to as betokening something venerable from antiquity. The introduction of iron into building operations will, no doubt spread rapidly, as the price of cast iron falls; and, if unskilfully done at the outset, we may have a number of imperishable monuments of bad taste wherever we go. It is, therefore, of importance that good examples should be given in time, and that architects should be prepared for the change, so as not to leave the matter to the caprice or taste of the workmen of the founderies. [*Loudon's Encyclopædia of Architecture.*

*Singular suicides.* The Pittsburgh Advocate says—In a letter received by a gentleman in this city, we learn the following facts, which occurred in the neighborhood of Little Beaver, in this state. The letter states that "a very singular case, or more properly cases, of suicide took place in this neighborhood within a short time back. A woman, whose name I do not now recollect, hung herself with a hank of yarn—her sister, about two weeks after, followed her example, with the same hank—and two or three days since, another sister did the same. The fourth is now kept closely confined, her friends fearing she may commit a similar act. Last fall one of the same family hung herself, making in all four who have been the means of their own deaths, none of which can be accounted for even by their most intimate friends. They bore excellent characters, lived in the midst of plenty, and to all appearances were living happily."

*Coal mine on fire.* The singular spectacle of a coal vein on fire is to be seen in the neighborhood of Port Carbon, at no great distance from the Schuylkill Valley rail road. It is supposed that fire was communicated to the coal vein some years ago, since which it has been in a state of ignition, smoke having been seen at different periods issuing from the ground in various places. The fire is distinctly visible from the surface of the ground by means of a shaft. [*Miner's Journal.*

*Coal trade.* It appears by the Ulster (N. Y.) Republican, that during the week ending on the 22d ult. 6,341 tons 5 cwt. of Lackawana coal were received at Rondout; and during the same time, 52 vessels were loaded with this article, and cleared from that place. Of these, 13 were bound to *Providence*, 7 to *Boston*, 2 to Salem, 1 to Jersey City, 1 to Norwich, 1 to Williamsburg, 1 to Staten Island, 2 to Hudson, 1 to Nantucket, 2 to Athens, 2 to Albany, 1 to East Greenwich, 4 to New York, 1 to Troy, 1 to Bellville, N. J. 1 to Brooklyn, 1 to Poughkeepsie, 1 to Hartford, 1 to Bristol, R. I. 1 to Newburgh, 1 to Haverstraw, 1 to Rahway, 2 to New Bedford, 1 to Fall River, 1 to New Haven, 1 to Newport.

*Steam vessel of war.* A Kingston (Jam.) paper of June 4, says—The Rhadamanthus steamer, now in this port, from England, is 178 feet in length; her extreme breadth 46 feet; and her depth of hold 17 feet 10 inches. The engines, two of 113 horse power each, are on the largest scale ever manufactured, and the means adopted to prevent accidents from fire, are, as far as we can judge, effectual. The accommodations on board are splendid and commodious. As a sea boat, we understand her qualities are excellent, whether under steam or canvas. She encountered some very rough weather, without much danger, when in the bay of Biscay, when other vessels went on shore on the French coast. She only mounts four guns—two heavy 32 pounders, and two brass 6 pounders. Her original equipment was the guns we have already mentioned, with an eighty-six pounder on the bow, and a sixty four pounder astern! That such a vessel will be most useful here, is beyond a doubt, in transporting troops from head quarters to any part of the island where they may be required at a moment's warning. The expense of maintaining her in port will not cost more than an ordinary sloop of war, with 120 men; but her consumption of coal per day, when her steam is up, amounts to 20 tons!

*Died in Baltimore* on the 6th inst. *Francois Augustin Du Boismartin*, aged 91.

The deceased was a native of Barbesieux, in France, and was educated for the army where he served until the early part of our revolutionary struggle with Great Britain, when inspired by the enthusiastic love of liberty then awakening in his native country, and informed of the difficulties the marquis *de Lafayette* had to encounter in obtaining a conveyance to the American colonies, he readily volunteered his services in their cause, and by procuring and fitting out the vessel which bore the youthful patriot to the shores of America, hastened an event so interesting in the history of our revolution. On his return to France he resumed his rank in the French army, and subsequently served in the regiment of Port au Prince, until the dispersion of the French troops in the island of St. Domingo, when his devotion to liberal principles led him to seek an asylum in this country. Here by his urbanity and the uprightness of his character he secured the esteem and confidence of all who knew him, and by his kind and gentle disposition acquired the lasting affection of those who stood in the more intimate relations of kindred and friends.

*Diamond cut diamond.* A six foot Vermonter lately entered a store on one of our principal wharves in search of employment. He could do any kind of *chore*, he said, and boasted much of his strength. "Stout as you are," said the clerk, "I'll bet $10 you cannot carry that bag of salt (pointing to a very large one) twice across this store and back again and *never* lay it down." The Yankee stood for a moment scratching his head and gazing at a rope with a hook at its end which dangled through a scuttle, and then accepted the wager. He shouldered the bag with the utmost ease, carried it twice backward and forward, and then hung it upon the hook aforesaid. "Mister," said he, "I guess I'll trouble you for that are ten. I didn't lay it down—I *hung it up.*" The clerk, much to his dissatisfaction, handed over the money, and the Vermonter left the store saying, "catch a weasel asleep! Not so bad a day's work. Batter than chopping logs!" [*Boston Galaxy.*

*Baltimore vessels.* Our Baltimore vessels continue to sustain, to the full, their pre eminent reputation as fast sailers. Our builders have a certain tact in modelling, and our seamen in sailing them, which, it would appear, has yet to be acquired elsewhere in order to produce the same results.

*Another black poney.* The new brig John Gilpin, built at Baltimore, left that port in June, 1832, for Canton and Valparaiso. She arrived at the latter port on the 16th of March. Her passage from Canton to Valparaiso is said to have been the shortest ever made, and, as the supercargo states, both voyages were performed at the average rate of one hundred and sixty-eight miles a day [*N. Y. Jour. Com.*

*A thief in a church.* *William Avery* (says the N. Y. Journal of Commerce), was on Friday tried in the court of sessions, upon the charge of having abstracted thirty dollars from a lady's reticule at church. The circumstances were as follows. A young lady on entering St. John's church, to attend a week-day lecture, passed Avery on the inside, who immediately followed, closed her pew door with seeming politeness, and took a seat in the pew immediately back of hers. The affair was singular, and attracted the notice of the lady, but did not so far awaken her suspicions as to prevent her throwing down her reticule upon the cushion by her side, notwithstanding it contained a wallet with thirty dollars. After prayers, she was surprised, on opening the reticule, to find the wallet lying on top of her pocket handkerchief, and turned to look for the gallant gentleman, but he had decamped, feeling no doubt quite sure of having obtained some good at church.

Unfortunately for him, however, he had been too long in setting his trap. A gentleman in the gallery had noticed him for several weeks at church, and always following some lady and taking a seat behind her, as on this occasion. As he was a stranger, and had no peculiar marks of a praying man, the constant repetition of the same ceremony excited suspicion. As the congregation were standing, this gentleman saw Avery, while leaning over and reading with apparent devotion, reach down and take something from the lady's seat, examine it, pass his hand to his own pocket, and then lay back what he had taken up. The gentleman interpreted the whole in a moment, and came down at once to secure the stranger's arrest. But he was gone. A young lady in the opposite gallery, also had a full view of the whole affair. The gentleman had marked the appearance of Avery, and three weeks afterwards saw and recognized him, and secured his arrest. On the trial, Avery managed his own cause with tact, exhibiting good mental resources, and notwithstanding the completeness of the testimony, and without offering any witnesses himself, undertook to maintain his innocence. He appealed earnestly to the jury on the value of liberty and besought them not to deprive him of so great a blessing to gratify the combination of fanatics which had been formed for the ruin of an innocent man. But all in vain. The jury returned a verdict of guilty, and he will go—not to church exactly, yet where he will enjoy one continued Sing Sing.

*Egyptian newspaper.* A journal is now published at Alexandria, under the title of *Mitzer Wekaiest* (Egyptian news) the vignette of this paper, in opposition to the Ottoman crescent, presents half a sun, shining forth from behind a pyramid, on the side of which stands a flourishing young palm tree. On the left of the vignette are these words—"Printed at the office of the *Diwen of Events* in the Royal Castle." This paper, which is in the Arabic and Turkish languages, gives no political news, but is confined to civil and military subjects, which have merely a local interest.

*A western comparison.* Mr. Webster talks of making the tour of the west this summer. Let him come. We know of no man who would be more cordially received among those who "whip their weight in wild cats," than the boxing "giant," who handed nullification back to its champion in the same predicament that col. Crocket returned his last plate to the servant at the president's levee—*handsomely licked out.* [*Ohio paper.*

*Old times!* Great fire in Boston in 1760. From the Boston Mercantile Journal. On the 20th of March, 1760, a fire broke out in Washington street, in this city, which extended into State and Water streets and destroyed 174 houses and 175 shops, being nearly a tenth part of the town. The sufferers

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were directed, by the town authorities, to hand in a statement of their several losses; and from this curious collection of old documents we select the following specimens:

"Lost att ye late fier March. 20 1700 & 60.

| | |
|---|---|
| A nu pear of stase | £10 |
| A cloat rulen whod | 15 |
| Linning | 10 |
| quiled cott | 4 |
| A goun | 5 |
| 2 paer of hoess | 3 |
| 4 paer of shous | 6 |
| 4 ivery stic fauns | 3 |
| | £56 |

MARTHA BULKELEY."

"Elisebeth Bickmors Los in ye Lat fier.

| | |
|---|---|
| Wone Bed | £30 |
| Wone Ovel Table | 8 |
| Wone Bras Cittel | 10 |
| Woue Scillet | 1 |
| And Oather Smol Artukels | 3 |
| | £52" |

The next morceau appears to represent the damage done to a cordwainer:

"Boston Aprer 4 1760 A Count of whot I. lost in the fier of Bots and tules add stufe as nere As I Can Cercurlate was the hole was tenn Pownd thurteene and atcpenc Lorful munny £10-13 8 MOSYS COLLIKA."

*Very strange.* A New York paper says—While one of the ships recently arrived from New Orleans was on the passage, it became necessary to open the scuttle into the run, when the passengers were appalled by the sight of a black woman and new born infant lying upon the floor, both dead. No one had any knowledge of such a person having been on board, and it was matter of earnest inquiry who she could possibly be. At length suspicion fell upon the steward, a colored man, who has a family in this city. The run of a ship is under the charge of the steward, being used as a store room, and communicating with his department. This scene was suspected to be the result of his criminal indulgences, and an effort to remove the object of them to this city in a clandestine manner. He was accordingly put in confinement, to await a legal examination.

*Dutch trade with London.* The following is the return which Mr. Alderman Thompson moved for on the 8th inst. and which was laid on the table of the house of commons on Monday: "An account of the number of British and foreign vessels, with the aggregate amount of their respective tonnage, which cleared at the custom house, London, for ports in Holland, from 1st January, 1832, to 6th November, 1832: British ships, 218; tons, 25,319. Foreign ships, 117; tons, 16,313. A similar account from 6th November, 1832, to 25th April, 1833: British ships, 0; tons, 0; foreign ships, 84; tons, 9,885.

*Hydrophobia.* Died, of Hydrophobia, on the 28th of June, at 9 o'clock, P. M. *Anne*, daughter of Robert Mitchell, of St. Jones's Neck, in Kent county, Delaware, in the 17th year of her age.

The deceased complained, from the Monday previous to her death, of an aching throughout her system, accompanied with a vague feeling of anxiety and apprehension. She attended, nevertheless, to her work, as usual, until Wednesday afternoon about 3 o'clock, when, upon going to the well for drink, the spasmodic sensation produced by the approach of water, gave the first symptoms characteristic of the malady by which she was attacked. From that period her spasms gradually increased in frequency and violence, and were accompanied with severe pains in her head and the lower part of her breast.

The family never suspected the nature of her disease until the morning of the day upon which she died; when, upon being asked by one of them if she had not been bitten by a dog, she replied that she had not been *bitten*, but that she had allowed a little dog, which had subsequently run off, and been killed as mad, to lick a small sore, produced by a scratch, upon her heel; medical aid was then resorted to for the first time.

The deceased appeared to retain her senses perfectly throughout her illness, and evinced not the slightest disposition to injure any one in attendance. She lived twenty eight days from the period when the *virus* is supposed to have been communicated—five days from the commencement of her indisposition—and fifty hours after the convulsive sensations at sight of water, gave the first clue to the nature of her disease.

*United States.* The Edinburgh review, in an article relative to *Stuart's Travels in the United States*, after speaking of the unexampled progress of population and civilization in America, holds the following language respecting the causes that have produced such astonishing effects; which we commend to the attention of the reader.

"The truth is, that *every man in America is instructed, reads the newspapers, and takes a part in the prevailing political discussions.* The hotels and public houses have all a pretty good assortment of books; much better, at least, than the trash usually met with in such places in this country. *The universal diffusion of education is, in fact, the grand, the distinguished excellence of America.* It is this that has rendered the terms, mob or rabble, inapplicable even to the dregs of her citizens in the northern states; and fits them for enjoying, without abusing, the freest institutions. Had the tenth part of the sum been expended in establishing schools in Ireland that has been thrown away in supporting a priesthood detested by the people, that country would not have been in the disgraceful state in which it now is. And what but the want of education has drawn recruits to the standard of Swing? and made our laborers believe that the destruction of their employers' property was the best means of augmenting their wages?"

*Etiquette of the French bar.* During a recent trial in Paris, as an advocate was preparing to take his seat upon the counsel's bench, he was rudely seized by the collar, by one of the municipal guards. A struggle ensued, and upon being liberated, the advocate immediately complained to the president of the court of the outrage upon his person. The judge called upon the peace officer to account for his having thus created a riot, who attempted to justify himself by pointing out that the barrister had violated the regulations as to costume, by presenting himself in a pair of *gray pantaloons and black stock.* The president, however, informed this self constituted master of the ceremonies that he had exceeded his province, and dismissed him, with a severe reprimand for his presumption.

*France.* A magnificent undertaking is in contemplation by the French government—the formation of a grand line of railways from Paris to Rouen, Havre, Lyons and Marseilles. The government have, with this intent, already demanded a vote of twenty thousand pounds for the preliminary surveys. This is part of a vote of four millions sterling just taken for the completion of public edifices and monuments, canals and military roads in La Vendee. Amongst the former are the finishing of the triumphal arch De L'Etoile, £88,000; the church of the Magdalen, £112,600; the pantheon, £90,000; the museum de natural history, £96,000; new buildings for the grande bibliotheque, £230,000, royal school of the fine arts, £76,000; cathedral of St Denies, £60,000; and *deaf and dumb asylum, £8,000.*

*Patriotism of the clergy during the revolutionary war.* Two ministers' sons, in the county of Essex, whose fathers were out in the great struggle for American liberty and independence, met not long since. After talking over some of the events of that period, one says to the other, "I believe my father did more than any other minister in the state." "How so?" says the other, "what did he do?" "Why, he sent three sons into the field." The other replied, "my father did more; he went himself, and took four with him." [*Salem Gazette.*

*Longevity.* There are now living in Charleston, (S. C.) three individuals, who transact their own business with perfect accuracy, (and in two of the instances, the business of others), of the following ages: 95, 85, 80—260. It is remarkable that two of the three are the direct descendants of Hugonauts, exiled after the revocation of the edict of Nantes, 1685. There were living in 1809, a lady, the mother of 31 live born children, who never had twins but once: one with 28—nine over 100 years, (oldest 110), and that nine centarians died since 1797 (the oldest 114). Refer to 2d Ramsay's History of South Carolina, 1809.

[*New Haven Herald.*

## AWFUL SHIPWRECKS.

A considerable number of vessels have been lost in the ice, in the St. Lawrence, since the opening of the navigation this year, and several hundreds of persons have perished in consequence. The following description of one of these wrecks may shew the character of the whole.

*Wreck of the Lady of the Lake.* We have had an interview with Mr. Robert Davidson, from the vicinity of Moneymore, county of Londonderry, one of the surviving passengers of the unfortunate crew of the Lady of the Lake, from Belfast, from whom we learn that in addition to the fifteen passengers brought to Quebec whose names were given in a previous number, twenty one were carried safely into Saint Johns, N. F. and one carried home to England.

On the morning of the 11th May, the weather being calm, the vessel was surrounded with ice. The passengers discovered a number of human beings, about eleven in number on the ice, some standing, some lying and some sitting. They implored the captain to permit them to put out with a boat for their relief; but he being in a state of intoxication refused to do so. In less than half an hour after these unfortunates had disappeared, the Lady of the Lake was struck with the ice and went down, as before stated in about 25 minutes.

The captain put out from the vessel in the long boat, and our informant finding the boat about to leave, jumped overboard with his wife and child, and swam to the boat, the child was lost, but the parents were saved. There were in all, 32 persons in the boat, (without oars), with the captain who after two days fell in with the Harvest Home, of Newcastle, came alongside and nearly all of them got on board; but immediately discovered her captain and crew hastening into their boat at the stern as she was sinking rapidly. Captain Grant then pushed off with his boat, leaving thirteen of his fellow sufferers on the sinking vessel, and putting out with the 19 in a boat, and had safely weathered out two days with 32 on board without oars. Our informant having found two oars and a bag of biscuit on board the Harvest Home, held them up and stipulated to be taken on board for giving the valuable articles; but the moment they were thrown into the boat, captain Grant pushed off, and left him. Four young men then jumped from the bowsprit of the Harvest Home, and swam to the boat, but they were not taken in, when they laid hold of the edge of the boat he struck their hand with the oar till they could not retain their grip any longer, and on their renewing their hold with the uninjured hand, the oar was used in the same manner, till they sunk to rise no more: two of the unfortunate persons who thus perished

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were named John Wilson and John Turner. It ought to be borne in mind that at this time there were thirteen persons less in the boat, than during the two previous days, and she was provided with two oars and biscuit.

The sufferers abandoned on the deck of the Harvest Home, launched one of her boats, yet remaining on deck and put away from the sinking vessel. The captain refused to put back, to instruct or assist them in launching the boat, though imploringly entreated to do so. As soon as the Harvest Home was abandoned, captain Grant put back to her, and took several articles out of the wreck, but upon perceiving the boat in which our informant was approaching, he called out to those on deck, "there they are—come down," and getting all into the boat, rowed away. Our informant remained in the open boat for five days, weather very cold, half clothed, some of the females having no wearing apparel, but chemise and petticoat, and was picked up by the Messenger, captain Stubbs, who also picked up the jolly boat of the Lady of the Lake in which were the mate and seven others, making in all twenty-one persons. The captain of the Messenger treated them with great kindness, waited on them and prescribed for them, placing every comfort his vessel afforded at their command. The steward of the Lady of the Lake lost both his legs by the frost, and several of the survivors suffered severely from the cold.

Our informant declares that at the time of the accident the captain and second mate were intoxicated, and that the person on watch was not on look out, but laid on his breast on the deck, talking through the hatchway to the passengers below. The whole number of passengers was 235 not including infants on the breast. The whole number saved is 36, *making the loss of lives to exceed two hundred.* [*Montreal Herald.*

## YANKEE MANAGEMENT.

*From the Portland Advertiser.*

Our southern brethern are perplexed to know how it is, that they with rich land, a warm sun, and staple productions giving an income of from four to twenty per cent. are becoming poor and cashless, while we Yankees are becoming rich, and are having money, if not in abundance, at least as much as is necessary. If they would come among us, and study our economy, the answer would soon strike them. One little instance is no bad example of that Yankee economy and skill that turns all things, even the worst, to advantage.

It may not be generally known that in many parts of our state, our schoolmasters are not only "boarded round," so as to save the drawing the pay of the schoolmaster's board from the school fund—that is, the schoolmaster is boarded a week here and three days there, according to the number of children—but that the school master is often "bid off" or "put up at auction," as are our paupers—and the *lowest* bidder in the district takes him, as the *highest* bidder takes an article at a regular auction.

The writer of this article, when preparing to be a college boy, being short of funds, and with no other means of getting money than by keeping school, hired out as a schoolmaster for ten dollars a month. This was all the school district could well afford to give, as their fund was small; and even with this small sum given, it was necessary to board the schoolmaster as cheap as possible. The school committee, therefore, called the district together, into a new, neat, convenient and comfortable schoolhouse, and in his presence, a scene of this sort took place.

*Auctioneer*—"What will you take him for?"

*1st Bidder*—"One dollar and twenty five cents a week."

*Auctioneer*—"One dollar twenty five, one dollar twenty five."

*2d Bidder*—"One dollar twelve cents and a half."

*3d Bidder*—"One dollar."

*Auctioneer*—"One dollar, who'll take him for less than a dollar? One dollar, one dollar, any body less? Who speaks?"

*4th Bidder*—"Seventy five cents."

*5th Bidder*—Seventy cents."

And thus the bids went on, the auctioneer exclaiming as usual in the mean time, till the schoolmaster was bid off at forty cents per week! Yes, the lowest bidder took him to board for forty cents per week. On going home with this bidder, a sociable happy man, whose house had more comforts and luxuries than nine tenths of the houses of the rich planters in the interior of the southern country, and whose table was as good as many sit down at, paying fourteen dollars a week for board, the writer held the following dialogue:

"How on earth can you afford to board me for forty cents a week?"

*Answer*—"I make money by it, and have your company in the bargain."

"How so?"

*Answer*—"Why, you will board with me fourteen weeks.—The whole pay for board will be $5 60. My taxes are a little over six dollars. Now, I have bread enough, meat enough, poultry enough, cider enough, in short enough and more than enough of every thing necessary to eat and drink. I have enough of every thing but money. All I want of money is to pay my taxes. But, in order to raise these six dollars, if I do not get a town order for your board, I must make a journey to Portland, or to Bath, with three times the produce you will eat, and from all this I find it difficult to raise six dollars in cash. Therefore I make money in keeping you to eat this produce, and have your company, these long winter evenings, in the bargain. Thus you see, I am interested at boarding you even at forty cents per week."

Now, we give this to all our southern brethren, as a specimen of the manner in which we Yankees live and thrive. Let them do likewise, and their country will be the richest and the happiest on the globe. Here we are shivering in summer, with corn but three inches high to the most, while they are enjoying the blessings of midsummer, and have corn almost ready for the harvest.

## THE LOCOMOTIVE "ATLANTIC."

*To the editor of the Baltimore Gazette:*

SIR—My attention has been called to an article, going the rounds of the newspapers, describing the locomotive engine, used on the Saratoga and Albany rail road. It is stated that this engine can *take fifteen tons at the speed of seventeen miles in the hour.* I have, of late, often travelled in the train of the Atlantic, the engine with Cooper's vertical boiler, used on the Baltimore and Ohio rail road—constructed originally at York, Pa. and modified and brought to its present perfection since it has been in use here. An account of its powers may not be unacceptable—and I am induced to offer it in consequence of reading the above mentioned article. The "Atlantic" has been running continually for the last 3 or 4 months, from Baltimore to the foot of the inclined planes, a distance of 40 miles, and back again, the same day. Upon this portion of the road, thirty-three miles are ascending, at various grades, of from ten to forty feet per mile, exceeding, in the ascent, 20 feet, per mile *on the average*, and the whole forty miles, is almost a constant succession of curves, of 400 feet radius, and upwards. Upon this road the Atlantic has drawn, *on the outward, or ascending trip, thirty tons, at the least, at the rate of seventeen miles per hour*—with only 15 tons, her practicable speed exceeds any safe limit on a curved road. The Atlantic has drawn 92 tons on a *level*, at the speed of 9 miles to the hour, and has brought seventy-two tons from the half way house, (6 miles), to Baltimore, at a rate of 12 miles to the hour, on the level parts of the road; passing two summits, of 16 feet per mile, for a half mile, each at the rate of six miles an hour. The train which recently brought in the president weighed forty tons, and passed over the same distance at the *average* speed of 15 miles to the hour. The power of the engine is such as to overcome the adhesion of the bearing wheels, of soft metal on dry rails, with 4 tons weight resting on them—in other words, when too great a weight is attached to the engine, or too steep an ascent attempted with her, the wheels fly round on the rails, without moving the car. This shews the ample supply of the steam—and in a new engine, now building it is designed to couple the wheels, so as to employ the adhesion of all four, with the view to render the superabundant steam available. The motion of the piston compared with that of the wheels, or progressive motion of the engine is as 1 to 5½. The only fuel employed is anthracite coal, which burns without any difficulty, and it is believed with more economy and convenience than any other. The trip, of 80 miles per day, is performed with one ton of it. Although this engine is the first of this peculiar construction, and the first that has completely succeeded in burning the anthracite, yet—in the small amount of its repairs, and the quantity of work that it is capable of performing—it is believed to be equal, if not superior, to any engine that has yet been made. I am, sir, your's respectfully, A FRIEND TO THE USE OF STEAM ON RAIL ROADS.

## HOLT'S FOUNTAIN—NEW YORK.

The facts stated in the following articles are of general importance—and we take pleasure in giving the particulars stated.

*New York, July 8.*—We are happy to learn that the persevering endeavors of Mr. Holt to obtain water by boring have at length been crowned with success. About the middle of last week, the person engaged in boring was delighted to find that he had struck a stratum of limestone, from which he predicted that he should find water in three or four days. On Friday afternoon, the drill which had been sinking with increased rapidity since it entered the limestone, suddenly dropped about two feet at a single blow, and then struck upon a very hard rock below. Immediately a strong current of water arose, and there is reason to hope it may prove to be of the desired quality. It is supposed to be so copious that it will afford a constant supply of as much as can pass through the pipe, which is about three inches in diameter. On this point, however, it will be impossible to determine with certainty, until the water ceases to be affected by the foreign matter introduced into the passage. The two or three feet through which the drill dropped, is no doubt a brook or fountain; and the fact of a flint rock or something like it, underneath, promises well. The boring will now be discontinued. We understand that no vein of water of any magnitude had been struck since entering the rock about 130 feet below the surface. Some water, we believe, was obtained before entering the rock, but it was of an inferior quality. The cost of the undertaking cannot be less than $2,000 or $3,000. It has been in progress nearly two years.

[The drill had, within the last six months, penetrated 640 feet in depth, of which 510 feet are of solid rock. So much for *perseverance.*]

*Pure Water.*—The important fact, which we mentioned on Monday, that of Mr. Holt, having stricken a fissure, at the depth of more than 500 feet of rock, by which it is made certain that the lower part of the city may be supplied with *pure* water (provided that now found, proves to be such), is a subject of conversation, and congratulation among our citizens. We have been consequently induced to make, of Mr. Holt's engineer,

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some inquiries on the subject. The digging of the earth commenced 22 months ago, and we learn, that at the depth of 40 or 50 feet, a vein of fresh, but impure water was found, which induced Mr. H. to go farther down. When he had dug to 130 feet, he came to a rock, on the surface of which flowed water, *as salt or salter than ocean water*. Not succeeding in his pursuit, he was induced to apply the drill, which has been at constant work a large portion of the time, night and day, wrought by a steam engine, till Saturday last. In this vast depth, which is as great as any perforation on record, the engineer believes his tool has been applied to a *solid rock*, as hard as granite and gneiss could form it, without once penetrating a stratum. The quality of the rock during the last three or four months work has been found to be nearly as hard as flint; and some estimate of the labor performed may be judged of from the fact, that the drill did not descend more than 8 or 10 inches a day during the whole time in which it has been employed.

We further learn from the engineer that the pipe which was inserted into the surface of the rock was not properly secured against the flood of salt water that continues to pass over it, and which rises in the tube to the ocean's level. This fact may account for the fresh water now found, not rising to the surface of the earth, mingling as it probably does, and passing off in the same vein through which the salt water flows.

It is intended immediately to apply the proper remedy against the salt water flood, till which time it will be impossible to test the quality of that from the fissure. This will be effected as soon as the proper instruments can be made, and we shall be happy to make a favorable report—of which we have no doubt.

While on the subject, we may as well say a word in regard to the great inconvenience which such an establishment as the hotel of Mr. Holt suffers for the want of pure water. He employs constantly three men, each with a horse and cart, owned by himself, and two others whom he hires, to bring him water from Traphagan's well, more than two miles from his house, at an expense of eight dollars a day. This water is emptied into four cisterns, holding one hundred and twenty-five hogsheads, and his daily consumption for drinking, cooking, and washing, is twenty-four hogsheads. [*New York Gazette.*

*From the Commercial Advertiser.*

*Holt's castle.*—Mr. Holt has found water at the depth of six hundred and fifty feet. The Journal of Commerce says that limestone was found there—but it is not so. It is mica slate. It also speaks about a flint rock there, but this is all verbiage—it is mica slate. The fissure is large, and the water abundant. Its quality is not yet known, though I think it will prove to be good. It rises within a few feet of the surface, and not above it, which proves that it does not enter the rock at any point *higher* than this. Thus much to satisfy distant geologists as to the geology of this place. The Journal of Commerce thinks this will cost as much as two thousand dollars—had it said twenty thousand, it would probably have come quite as near the truth. The one in Bleecker street, as Mr. Disbrow told me, cost ten thousand dollars, and that does not begin to be as expensive as this. Holt's castle may now be called the "FOUNTAIN INN." A. S.

Mr. Holt informs us, that he has not only ascertained that the supply of the fountain will be abundant, but that the water has been tried, and proved to be of a pure, soft, and excellent quality.

## ELECTIONEERING IN VERMONT.

Two conventions, one national republican, the other consisting of friends of the administration, lately met at Montpelier. In the former, a committee reported, that they had conferred with a committee of the Jackson convention, and had agreed with them relative to the mode of nominating a union ticket for state officers. The Jackson convention were to nominate candidates for governor and four counsellors, and the national republican for lieut. governor, treasurer, and eight counsellors. This mode was adopted by both conventions, and Ezra Meech was nominated in both for governor, Jedediah H. Harris for lieut. governor, Benjamin Swan for treasurer, and twelve other gentlemen for counsellors.

CORRESPONDENCE.

"*Perkinsville June* 8, 1833.

"*To the hon. Ezra Meech*—

"SIR—At this period of our political affairs, when our party feelings have become calmed, after the late presidential contest, we can look around more dispassionately, and without a reference to the struggles that have past, and select such men as we deem most fit to entrust with the government of our state affairs. With a party whose motto is *proscription*, we cannot, will not unite; but with a party whose opinions upon the great and leading interests of our country agree with ours we would go heart and hand, and by the success of an union ticket, place Vermont, again, on a footing with the other states of the union, where she may no longer be a bye word and a jest for the fallacy of her opinions, and the infatuation of her sons.

"Believing that such a 'consumation is devoutly to be wished' and that through the agency of our enlightened and patriotic yeomanry, it can be fully and decidedly accomplished, we would respectfully solicit your views upon the great interests of our country, to wit—the protective policy—a system which we deem so interwoven with our national prosperity that to blot it from our records, as a law of the land would be to spread misery and poverty, where all is now peace and plenty.

"We also solicit your views on the land bill, as passed by congress the last session, the principles of which, we consider deeply important to the interests of Vermont. Very respectfully your obedient servants.

"Signed,
J. R. WILLIAMS,
JOHN MARSH,
ROB. B. SCHENCK,
ASA WHEELER,
F. K. NICHOLS."

JUDGE MEECH'S REPLY.

"*Shelburne, June* 22, 1833.

"GENTLEMEN—Yours of the 8th instant, is this day received—having been absent on a journey, when it arrived. I therefore embrace the earliest opportunity to answer your inquiries. With regard to a union of the nationals, and those called Jacksonians, I most heartily accord with your sentiments—that the time has come, when we should lay aside all those party feelings, and use our utmost exertions to redeem the lost character of our state.

"Relative to the protective system, it has always had my support—believing as I do, that the middle and eastern states never can prosper, without protecting *all the articles* for which we *grow the raw material*.

"With regard to the land bill, I had looked forward to the extinction of the public debt, as the period when the proceeds of the sales of the national domain—the common property of all the states, ought to be divided amongst them, agreeably to their representation in congress. Respectfully yours,

EZRA MEECH.

*Messrs. J. R. Williams, John Marsh, and others.*"

## BLACK HAWK AND THE SENECAS, &c.

*From the Buffalo Republican, July* 5.

The party of western chiefs, under the conduct of major Garland, consisting of Black Hawk, the Prophet Napope, the Prophet's adopted son and brother, and Black Hawk's son, arrived at this place on Friday of last week, and remained until Sunday morning, when they took passage in the steamboat for Detroit. On Saturday morning they rode over to Black Rock for the purpose of looking at the union of the grand canal with the lake at that place, and also to have a fair view of the Canada shore. Black Hawk immediately pointed out Fort Erie, and appeared to be familiar with the country around. He was there during the last war in the British camp, at the time when, as he expressed himself, the "Americans walked in the fort." In the afternoon the party visited the Seneca Indians, who had collected at the council house on the reservation to receive them. They were addressed by capt. Pollard, an old and very respectable chief of the Seneca nation, who, after expressing the pleasure which it gave them to meet the chiefs of the Sacs, and after alluding to the present state of the aborigines, counselled their brothers to return home with a peaceable mind, to cultivate their land, and no more to fight against so powerful a people as the whites. To this both the Prophet and Black Hawk replied. The former said, "We have heard your talk—it is full of truth and good advice—I have said much on this subject to our great father—we shall go home in peace, we wish that all the tribes were collected on the fine lands west of the Mississippi. I will not make you a long talk—we only came over to see how our brothers the Senecas lived, and we are glad to see you." Black Hawk said, "Our aged brother of the Senecas who has spoken to us has spoken the words of a good and wise man. We are strangers to each other, though we have the same color, and the same Great Spirit made us all and gave us this country together. Brothers, we have seen how great a people the whites are. They are very rich and very strong—it is a folly for us to fight with them. We shall go home with much knowledge that we have got on our journey. For myself, I shall advise my people to be quiet and live like good men. The advice which you give us, brother, is very good, and we tell you now that we mean to walk the straight path for the future, and to content ourselves with what we have, and with cultivating our lands."

The chiefs of the Black Hawk party behaved themselves with much decorum and propriety. They were visited by most of our citizens, and every opportunity was furnished by major Garland to gratify the curiosity of all who came.

They will proceed over land from Detroit to Chicago, where a military escort will receive them, and convey them thence to the Mississippi.

A large party of the Oneida Indians, under the charge of the agent, Mr. Savage, left this port on Wednesday last for Green Bay, in the schooner Globe. They numbered in all, men, women and children, 145—were well provided with every thing necessary to render them comfortable in their new habitations, and seemed happy in the prospect before them.

## SELF-DEVOTION OF INDIANS.

"*Dulce et decorum est, pro patria mori.*"

The subjoined account we copy from the Jacksonville, (Illinois), Banner. KE O-KUCK, is well known to those who take an interest in the Indian tribes. But had the four *great men*, we mean the Indians who offered themselves to save their country, had they lived in ancient times they would have come down to us immortalized in the records of patriotism and philanthropy. David—the Horatii and the Curatii and others,

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had a chance, they might conquer, but the poor Indians were sent to die—Mintius Scevola burnt off his hand—but he stood in the presence of the great. Curtius leaped into the chasm—but the admiring plaudits of the Roman world hushed the whisperings of fear and the calculations upon pain—but the poor Indians, knew they must be hung up like dogs—amid the sneers and curses of those who preferred their dogs to them. The case as set forth in the annexed detail is highly interesting and would furnish a fine hint to a vigorous fancy, for the leading incident of a tale.

By private sources, we hear that the Sac Indians who had been delivered up by Ke-o-kuk, to the civil authorities of Warren county, for the murder of Martin have been discharged—the grand jury not having found a bill against them. The history of this affair is somewhat curious. When the agent went to Ke-o-kuck to demand the murderers, under instructions from the war department, he informed the agent that they were not of his reach, but would consult with his tribe what course to take in the premises. He called them together, and having stated to them that their great father would send an armed force into their nation to take the murderers, which would cause strife and bloodshed, which it was his desire to prevent, four young men of the tribe, (they who were discharged), proffered themselves as voluntary offerings to appease the vengeance of their great father, and consented that they should be given up to the agent as the offenders. They were accordingly taken by Ke-o-kuk to the agent, who had them immediately confined in jail to await their trial. At court Ke-o-kuk and other Indians of his tribe appeared, and the old chief was made a witness on the part of the prosecution; and, before the grand jury, he stated that these young men were not the persons who committed the murder, that *they* were out of his reach having fled from his tribe: and that he supposed they would be satisfied, if any four of his young men should be delivered up to their justice, not doubting but the same principles governed his white brethren that obtained among the Indians. This testimony, of course, discharged the prisoners. The people were much excited at this termination of the business; and the grand jury, in the exercise of their powers, handed to the court a presentment, the object of which was, as we understand, to request the president to take the necessary measures to procure the murderers, with testimony sufficient to convict them, and presenting the agent for accepting the men who were discharged, and requesting him not to accept any others than the real murderers, whose names were obtained from Ke-o-kuk, and the bills of indictment found against them. The idea of Ke-o-kuk and the young men was, that the judge would sentence them to be hung immediately—they had no other expectation. In this view of the case, they showed more devotion to their tribe, and more firmness, than could be found, under similar circumstances, among the most enlightened and civilized portion of the community. It is needless to add, that they manifested great joy at their unexpected deliverance.

Messrs. Gatewood, Field and C. S. Hempstead attended as counsel for the prisoners.

## THE INVENTION OF LETTERS.

The invention of the Cherokee alphabet, the absolute perfection which is ascribed to it by philologists, and its general adoption amongst a nation which we denominate savage, appear to us to be among the most interesting circumstances of modern history.

When, where, and by whom, letters were invented, it is now useless to imagine. Notwithstanding the pretensions advanced for Hermes, Memnon, Cadmus and others, there is no evidence to authorise us to award the honor to either of them. But although history has given us no authentic account of the sage, whoever he was, that *first* dissected the human voice, analyzed its sounds, and gave to each an appropriate mark or character, our own age and our own country were to witness this novel enterprise conceived and executed by an untutored savage, belonging to that race whose wrongs will fill so black a page in our history. Cadmus *imported* an alphabet into Greece; Sequayah, a poor Cherokee, *invented* one for his native tongue, and a newspaper is now printed in the characters which he devised. This great genius, (for he richly merits the appellation), is one of the most extraordinary personages of the age. His name, when time shall have made it venerable, will be coupled with the names of Franklin, of Fulton, and other men whose inventions and discoveries have gained them an imperishable fame.

About the time of St. Clair's defeat, Sequayah, and a party of Cherokees, found a letter on a white man whom they had taken prisoner. This letter was, to the Indians, something novel and curious; and, much to their astonishment, its nature and uses were explained to them. It was long a question whether the *talking leaf*, as they expressively termed it, was the invention of the white man, or the gift of the Great Spirit. The rest decided for its divine origin. Sequayah, with the spirit of a philosopher, maintained the contrary. The "leaf," however, and its origin, were forgotten, till a painful disease disabled Sequayah from sharing in the pursuits of war and the chase. Then it was that his mind reverted to the mysterious paper. Day and night did he meditate upon it, till, by observations on the sound of the human voice and notes of birds, aided by the nicer ears of his wife and daughter, he succeeded in his enterprise. All this time, like Galileo, he had to contend with the neglect, suspicions and superstitions of his countrymen; for they had heard of his strange occupation, and thought that he was dealing with the evil spirit. After a time, however, he succeeded in convincing his brethren of the importance of his invention, and he has ever since been held by them in the deepest reverence. [*Salem Gazette.*

## GIRARD COLLEGE—PHILADELPHIA.

*Address, by Nicholas Biddle, esq. chairman of the trustees of the Girard college for orphans, pronounced by request of the building committee, on the occasion of laying the corner stone of the edifice, July 4th,* 1833.

Fellow citizens: We have now witnessed the laying of the corner stone of the Girard college for orphans. That stone, simple, massive and enduring, fit emblem of the structure to be reared from it, and of the man whose name it bears, has been deposited in its final resting place. The earth received it. To-morrow the earth will cover it. Ours are the last eyes which shall look upon it, and hereafter it will lie in its silent repose, unmoved by all the revolutions of the changing world above it.

And yet from out that depth is to rise the spirit which may more influence the destiny of ourselves and our children, than all else the world now contains. The seed that has been planted is of the tree of knowledge—that growth which gives to existence all that renders it attractive—flowers for our early youth—fruits in maturer life, and shelter for declining years. It is that knowledge, which trampling down in its progress the dominion of brutal force, and giving to intellect its just ascendency, has at length become the master power of the world. No people can now be distinguished or prosperous, or truly great, but by the diffusion of knowledge—and in the stirring competition of the roused spirit of our time, the first glory and the highest success must be assigned to the best educated nation. If this be true in our relations abroad, it is far more true at home. Our institutions have boldly ventured to place the whole power of the country in the hands of the people at large, freed from all the great restraints which in other countries were deemed necessary. In doing this, their reliance is entirely on the general intelligence and education of the community, without which, such institutions can have neither permanence nor value. Their brilliant success has hitherto justified that confidence, but as our population becomes concentrated into denser masses, with more excited passions and keener wants, the corrective influence of instruction becomes daily more essential. The education then of the people, which elsewhere is desirable or useful, becomes with us essential to the enjoyment, as well as to the safety of our institutions. Our general equality of rights would be unavailing without the intelligence to understand and to defend them—our general equality of power would be dangerous, if it enabled an ignorant mass to triumph by numerical force over the superior intelligence which it envied—our universal right to political distinction, unless the people are qualified for it by education, becomes a mere abstraction, exciting only an abortive ambition. While, therefore, to be uneducated and ignorant, is in other countries a private misfortune, in ours it is a public wrong; and the great object to which statesmen should direct their efforts is to elevate the standard of public instruction to the level—the high table land—of our institutions. It is thus that this day has been appropriately chosen for the present solemnity.

It is fit that the anniversary of that day when our ancestors laid the broad foundations of our public liberties—on that day when our countrymen, throughout this prosperous empire, are enjoying the blessings which these institutions confer—we, in our sphere of duty, should commence this great work, so eminently adapted to secure and perpetuate them.

This truth no man felt with a deeper conviction than our distinguished fellow citizen, whose history, and whose design in founding this institution, may aptly occupy, for a few moments, our attention.

Of these, now that the tomb has dissipated all the illusion which once surrounded them, we can speak with the impartiality of history; and here, on this chosen spot, the scene of his future fame, we may freely bestow on his memory the homage which his unassuming nature would have shunned while living.

We all remember, and most of us knew him. Plain in appearance, simple in manners, frugal in all his habits, his long life was one unbroken succession of intense and untiring industry. Wealthy, yet without indulging in the ordinary luxuries which wealth may procure—a stranger to the social circle—indifferent to political distinction—with no apparent enjoyment except in impelling and regulating the multiplied occupations of which he was the centre—whose very relaxation was only variety of labor, he passed from youth to manhood and finally to extreme old age, the same unchanged, unvarying model of judicious and successful enterprise. At length, men began to gaze with wonder on this mysterious being, who, without any of the ordinary stimulants to exertion, urged by neither his own wants, nor the wants of others—with riches already beyond the hopes of avarice, yet persevered in this unceasing scheme of accumulation; and possessing so much, strove to possess more as anxiously as if he possessed nothing. They did not know that under this cold exterior, and aloof in that stern solitude of his mind, with all that seeming indifference to the world and to the world's opinions, he still felt the deepest sympathy for human affliction, and nursed a stronger, yet a far nobler and wiser ambition to benefit mankind, than ever animated the most devoted follower of that world's applause. His death first revealed, that all this accumulation of his laborious and prolonged existence, was to be the inheritance of us and of our children—that for our

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and their comfort, the city of his adoption was to be improved and embellished, and above all, that for their advancement in science, and in morals, were to be dedicated the fruits of his long years of toil.

It required the self-denial of no common mind, to resist the temptation of being himself the witness and the administrator of this bounty, and to have abstained from enjoying the applause of his grateful countrymen, who would have acknowledged with affectionate respect, the benefits which they derived from him. Yet even this secret and prospective munificence must have had its charm for a mind like his; and we may well imagine that the deep and retired stillness of his spirit was often soothed with the visions of the lasting good, and perhaps, too, of the posthumous glory, which he was preparing. Such contemplations he might well indulge, for to few have they been so fully realized. From the moment that foundation stone touched the earth, the name of Girard was beyond the reach of oblivion. From this hour, that name is destined to survive to the latest posterity, and while letters and the arts exist, he will be cited as the man who, with a generous spirit and a sagacious foresight, bequeathed, for the improvement of his fellow men, the accumulated earnings of his life. He will be remembered in all future times by the emphatic title with which he chose to be designated, and with which he commences his will—a title by which we ourselves may proudly recognize him as "Stephen Girard of the city of Philadelphia, in the commonwealth of Pennsylvania, merchant and mariner"—the author of a more munificent act of enlightened charity than was ever performed by any other human being.

His, will indeed be the most durable basis of all human distinction—a wise benevolence in the cause of letters. The ordinary charity which feeds or clothes the distressed, estimable as it is, relieves only the physical wants of the sufferer. But the enlightened beneficence which looks deeper into the wants of our nature—which not merely prolongs existence, but renders that existence a blessing, by pouring into these recesses of sorrow the radiance of moral and intellectual cultivation—this it is which forms the world's truest benefactor, and confers the most enduring of all fame. His glory is the more secure, because the very objects of that benevolence are enabled to repay with fame, the kindness which sustains them.

It is not unreasonable to conjecture that in all future times, there will probably be in existence many thousand men who will owe to Girard the greatest of all blessings, a virtuous education; men who will have been rescued from want and perhaps from vice, and armed with power to rise to wealth and distinction. Among them will be found some of the best educated citizens, accomplished scholars, intelligent mechanics, distinguished artists and the most prominent statesmen. In the midst of their prosperity, such men can never forget the source of it, nor will they ever cease to mingle with their prayers and to commemorate with their labors, the name of their great benefactor. What human being can be insensible to the happiness of having caused such a succession of good through remote ages, or not feel that such applause is more grateful than all the shouts which ever rose from the bloodiest field of battle, and worth all the vulgar fame of a hundred conquests!

The general design and the resources of the institution are proportioned to its purposes, and characteristic of him who did nothing which he did not do well.

After the building shall have been completed, there will remain the annual income from two millions of dollars, now yielding $102,000, and if these funds should be inadequate for all the orphans applying for admission, the income of nearly all the remainder of the estate is to be appropriated to the erection of as many new buildings as his square in the city would have contained. So that in general, it may be stated with reasonable confidence, that when all the buildings are ready for the reception of the pupils, there will be available for the maintenance of the institution, an income of not less than one hundred thousand dollars, which may be increased to at least two hundred and twenty thousand dollars.

These ample funds are to be devoted to the maintenance and education of "poor male white orphan children." Of all the classes of human indigence there are none more helpless and none more entitled to our sympathies than these children of misfortune. They have lost their natural protectors. The arms which have hitherto embraced and sustained them, have been folded in death. They began life in comfort, perhaps in affluence; but now they stand alone, abandoned and helpless, to struggle against the world's coldness, with precarious means of subsistence, with no means of instruction, and treading on that narrow and slippery verge which too often separates want from crime. From this friendless condition they are rescued by the benevolence of Girard, who not merely provides the means of subsistence, but redressing the wrongs of fortune, raises them at once in the scale of being, and qualifies them to be useful members of that society which they would otherwise disturb or corrupt.

How wide the limits of that benevolence may be, it is impossible to conjecture. If the imperfection of language suggests a doubt as to the degree of destitution which makes an "orphan," the greater weakness of our nature forces upon us the melancholy inquiry—what child is there who may not be a poor orphan? Who is there indeed among us whose children may not yet need the blessings of this institution? Let none of us in the confidence of prosperity deem his own offspring secure. Alas! all our prosperity is so vain and shadowy, and misfortune is so constantly in ambush to assail us, that it were presumptuous in any of us to suppose himself beyond the reach of vicissitudes, which would render such an institution the happiest refuge for his children. Yes, fellow citizens, this college is our own; the property of us all. It is intended to remedy misfortunes to which we are all equally liable. And it should be a source of great consolation to each of us, that if, in the ever varying turns of human life, misfortunes should overtake, and death surprise us, they who bear our names, and are destined to be the fathers of our descendants, will here find a home where they may be prepared for future usefulness, and become in turn the protectors and support of their more helpless relatives.

Hereafter, thanks to the bounty of Girard, every father among us may, on his death bed, enjoy the reflection, that although unprovided with fortune, there is secured to his sons that which is at once the means of fortune, and far better than the amplest fortune without it—a good education. This consideration, if any such incentive were wanting, may serve to stimulate the sense of public duty in those who administer the institution, to render it worthy of their own children.

For this purpose, happily, it is only necessary to fulfil the design of the founder, which provides ample means and expressly enjoins the employment of them, to give every kind of liberal and useful instruction.

They would much err, who, comparing this institution with any ordinary standard, regard it as an alms house or a poor house, in which a certain number of pauper boys, housed together, to be kept from harm, are to receive some hasty rudiments of instruction, and then to be thrust out on the world to make way for a similar swarm of unfortunate children. By no means. The comprehensive *benevolence of Girard* looked to higher and better things. It is *not* a poor school, nor a charity school, nor a free school, in their ordinary acceptation. It is, as he denominates it, a "college." The peremptory prohibition that "no distinctive dress should ever be worn," reveals his purpose that these youths shall not be designated as objects of remark or contempt by their contemporaries—that they shall be distinguished only by their conduct, and shall not wear the livery even of charity. The instruction too required, is of the highest character, embracing almost every thing worthy of being studied in the circle of human knowledge. "They shall be instructed," says he, "in the various branches of sound education, comprehending reading, writing, grammar, arithmetic, geography, navigation, surveying, practical mathematics, astronomy, natural, chemical and experimental philosophy, the French and Spanish languages—(I do not forbid, but I do not recommend the Greek and Latin languages)—and such other learning and science as the capacities of the several scholars may merit or warrant."

This excludes nothing—nay, it embraces every thing necessary to form a well educated man. How far this instruction is to be carried—whether when the degrees of talent and disposition come to be analysed, some are to be instructed up to the point of their appropriate capacity, while the more intelligent and more diligent are to be carried into the higher regions of science, are questions of future administrations, to be decided by experience. But it is manifest that all the means of education, thorough, perfect education, are to be provided; that every facility for the acquisition of knowledge should be at hand; nor is there any reason why the Girard college—liberally endowed beyond all example—should not be superior to any existing establishment, in the talents of its professors or the abundance of its means of instruction; and with the blessing of God, so it shall be. There shall be collected within these walls all that the knowledge and research of men have accumulated to enlighten and improve the minds of youth. It will be the civil West Point of this country, where all the sciences which minister to men's happiness, and all the arts of peace, may be thoroughly and practically taught. Its success will naturally render it the model for other institutions—the centre of all improvement in things taught no less than in the art of teaching them—the nursery of instructors as well as pupils—thus, not merely accomplishing the direct benefit of those to whom its instruction extends, but irradiating by its example the whole circumference of human knowledge.

To this intellectual cultivation will be added that, without which all instruction is valueless, and all learning the mere ability for evil—that moral discipline which makes men virtuous and happy at their own firesides. "My desire is," says he, "that all the instructors and teachers in the college shall take pains to instil into the minds of the scholars, the pure principles of morality, so that on their entrance into active life, they may, from inclination and habit, evince benevolence towards their fellow creatures, and a love of truth, sobriety and industry." When this harmony between the heart and the understanding ceases, mere knowledge is a curse, and men become intellectual statues, with the perfect forms of manly exterior, but cold and selfish and worthless to the community which endures them. Our youth too will not fail to be deeply imbued with that enthusiastic devotion to republican government, and that knowledge of his public rights and duties, which should form the basis of the American character. It is thus that the founder strictly enjoins "that by every proper means, a pure attachment to our republican institutions, and to the sacred rights of conscience as guaranteed by our happy constitution, shall be formed and fostered in the minds of the scholars."

Nor need there be any dread that such an education will disqualify them for their pursuits in after life. In this country all

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pursuits are open to all men, nor need the humblest citizen despair of the highest honors of the republic. They err who suppose that because men are instructed, they may desert the ordinary walks of employment. There never can be such an over-education of the mass of the people. Men labor not for a want of knowledge, but for want of bread. The cultivation of the mind, like the cultivation of the soil, only renders it more productive, and knowledge becomes the best auxiliary to industry by rendering the laborer more intelligent and more ambitious to excel. The youths thus instructed will go forth into the various pursuits of life, many of which are in their nature mechanical; but they will begin with the disposition and the power not merely to excel in them, but to rise beyond them; and they will emerge from their workshops, as their countrymen Franklin, and Rittenhouse, and Godfrey, and Fulton did before them, reaching all the distinctions of the state which may be honorably won, by talents and character.

That the scene of so many blessings may be appropriate to them, it is intended to make this structure worthy of its great object—worthy of the name of its founder, and of the city which he was so anxious to embellish. Among the sciences most needed in this country, where individual wealth is hastening to indulge its taste, and where every state and city and county requires extensive public buildings, is architecture. Indispensable in the rudest forms of life, it becomes the highest ornament of the most enlightened. In every stage of its progress, the style of its public works displays the character of the nation which rears them. Disproportioned and grotesque among a coarse and unlettered people—in nations more advanced, often over-ornamented with the gaudy profusion and the caprices of tasteless wealth—it is only when sustained by the public spirit of a community at once enlightened and generous, that architecture attains its highest glory—a refined simplicity. Of that perfection it is proposed that this structure shall present a model, the equal at least of similar works in any other country, and not unworthy of the best days of antiquity—a structure which will at once gratify the honorable pride of every citizen of the United States, and form the best study for all the branches of industry connected with architecture.

The enjoyment of so many advantages devolves on us, fellow citizens, the duty of great care and vigilance to preserve them. After bestowing upon our city this rich inheritance, Girard adds this emphatic declaration. "In relation to the organization of the college and its appendages, I leave necessarily many details to the mayor, aldermen, and citizens of Philadelphia, and I do so with the more confidence, as from the nature of my bequests and the benefit to result from them, I trust that my fellow citizens of Philadelphia will observe and evince special care and anxiety in selecting members for their city councils and other agents."

That the generous confidence with which he has thus committed to us the execution of his great designs, should never be betrayed, we owe equally to the name of the founder and to the interests of our posterity; as the whole value of this institution will depend entirely on the administration of it. For myself and my colleagues, to whom the high honor has been assigned of sharing in that administration, I can only say, fellow citizens, that we have assumed the trust with the deepest sense of its responsibility, and a determination to execute it in the spirit of enlightened benevolence which animated the founder; and we shall in our turn retire from it, with the hope that our fair city may always find successors who to equal zeal, add greater ability to serve it.

Under such auspices, we confidently trust that all the expectations of the founder will be realized. With this delightful anticipation, we now invoke the blessing of God on this great undertaking.

In the name of *Stephen Girard of the city of Philadelphia, in the commonwealth of Pennsylvania, merchant and mariner*, we lay the foundation of this *Girard college for orphans*. We dedicate it to the cause of CHARITY, which not only feeds and clothes the destitute, but wisely confers the greatest blessings on the greatest sufferers;

To the cause of *education*, which gives to human life its chief value;

To the cause of *morals*, without which knowledge were worse than unavailing; and finally,

To the cause of our *country*, whose service is the noblest object to which knowledge and morals can be devoted.

Long may this structure stand, in its majestic simplicity, the pride and admiration of our latest posterity; long may it continue to yield its annual harvest of educated and moral citizens to adorn and to defend our country. Long may each successive age enjoy its still increasing benefits, when time shall have filled its halls with the memory of the mighty dead who have been reared within them, and shed over its outward beauty the mellowing hues of a thousand years of renown.

SKETCH OF THE PROPOSED BUILDING.

The college is located on a tract of land containing forty-five acres, formerly known by the name of Peel Hall, situated on the Ridge road, 1½ miles from the city. This estate was purchased from Mr. William Parker, by Mr. Girard, a short time before his death, for the purposes of the college.

The building is peripterial, being 160 feet front, by 217 feet on the flank, including the porticoes.

The columns are 6 feet in diameter at the base, and 54 feet 6 inches high, including capitals and bases.

The order is Grecian Corinthian, from the monument of Lysicratus, or Lantern of Demosthenes at Athens.

The superstructure reposes on a casement, in the form of a truncated pyramid, composed of 12 steps surrounding the whole building. The passage between the columns and the walls of the cell is 15 feet.

All the columns, entablature and pediment, are to be composed of white, and the cell of light blue marble. The floors and stairways are also to be composed of marble.

The vestibules are each 26 by 48 feet; they are ornamented with 16 rich Ionic columns, antæ, and entablature, supporting a ceiling embellished with lacunari.

Each story contains four rooms 50 feet square in the clear. The two rooms across the south end of the first story, are divided from each other by marble columns, and entablature of the Corinthian order, so that they may be used as one room, for the purpose of exhibitions, &c.

The whole building is to be heated by means of furnaces placed in the cellar.

The college is located parallel with the city streets, fronting the south. The land at the base of the building is 26 feet above the reservoir on Fairmount. The whole height of the edifice is 97 feet, making the elevation of the roof 123 feet above the said reservoir.

## AMERICAN INSTITUTE—NEW YORK.

*From the N. Y. Advertiser & Advocate.*

The attention of the public is earnestly solicited to the following circular from the managers of the American Institute, inviting attention to their exhibition, to take place on the 15th of October next.

This early promulgation of the intended annual fair is made with a view of giving opportunities to our mechanics to prepare such articles as they may wish to exhibit for the purpose of giving them notoriety—and well merits their particular attention. No method that could be devised for the advancement of the useful and ornamental arts among us, would seem to be so advantageous as the plan here submitted. The collection in one large room of the various productions of American skill and industry, has an undoubted tendency to awaken feelings of a proper national pride, and from the very numerous visitors attracted at these exhibitions, we have no hesitation in giving our decided award in their favor.

What can possibly have a greater tendency to call forth a friendly disposition to native genius, than an opportunity to witness from year to year the many advances which are so rapidly making in the arts in this young and enterprising community? But a few years since the manufactures of the United States were confined to a few of the coarser articles in flax, in cotton, wood and iron. Now, a fair of the American Institute exhibits elegant specimens of almost every article of household and personal comfort and luxury. Musical instruments of the finest tone, and other articles of cabinet ware, of the most exquisite workmanship, cloths, cassimeres, calicoes and muslins of superior fineness and fabric, jappanned ware of every kind, saddlery and harness furniture, plate and plated ware of the finest polish, carpets and carpeting, equal in texture and colors to the most brilliant of the imported article, cutlery of all kinds, from the finest surgical instruments to common table furniture. In fine, in every branch of mechanical science the masonic hall, at one of these fairs, exhibits specimens which would attract praise and eulogy even in the great cities of London and Paris.

We speak advisedly on this subject, having attended similar European institutions; nor do we hesitate to say, that for ingenuity, enterprise and skill, no country produces workmen better qualified to minister to the taste, refined enjoyment and comfort of society than those of America; and nothing promotes advancement in their various departments more than grouping together, in annual exhibitions, the various utensils and fabrics fashioned from the abundant raw material with which our country abounds.

To mechanics, therefore, in an especial manner would we recommend an early attention to this truly patriotic plan of promoting their interest, prepared for them by the laudable exertions of this valuable institution. Let them remember that they are fast wearing away the prejudices which formerly existed in favor of foreign fabrics, and that consumers, for the many and various articles of their production, are at last what is most desirable for them. An intelligent and discerning public, cannot remain insensible to the claims of their brethren for encouragement and patronage, when the vast store of material with which our country abounds is found, annually, to be increasingly brought forward, fashioned into every variety of shape in implements which the advancing state of society calls for, to minister to its demands.

Let our fellow citizens but once become convinced of the fact, which will not much longer be denied, that we can furnish ourselves with vast numbers of the comforts and luxuries of life from our home resources, with more profit and advantage to the country than they can be derived from abroad, and all parties and denominations will rally around them, to second the endeavors of a paternal government to take every proper measure for their continuance and support.

AMERICAN INSTITUTE.

*New York, July 4th 1833.*

The sixth annual fair of the American Institute will be held in the city of New York on Tuesday the 15th of October next, and continue three days.

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Premiums, consisting of diplomas, or medals, will be awarded, as usual, for such articles of American production as shall be adjudged superior, either in material or workmanship.

As a new impetus seems to have been lately given to American industry, it is confidently expected that the fair announced for October next, will present still more decisive evidence of the advancing condition of our agriculture, our manufactures, and the arts, than any of those which have preceded it.

Your attention in giving publicity to this circular, and aiding the efforts of the institute to effect a very general display of ingenious and useful fabrics, will promote the cause of national industry, by affording ocular demonstration that our skill and perseverance, under adequate protection, can compete with any and all other countries. The variety and perfection of the productions which have on former occasions been displayed at the fairs of the institute, and the rapid reduction of prices manifested at every successive exhibition, has already satisfied many, who before doubted, of our ability to compete with older and more experienced nations; and it is confidently believed that future exhibitions will attract and open the eyes of others, who now undervalue our resources, and who do not realize the perfection of our native improvements, because they have never been spread before them.

Such ingenious and useful machinery as may be conveniently transported, and put in operation, will give interest and spirit to the occasion.

Each article should be labelled with the name of the manufacturer or producer, and with the agent's name and number in this city.

The design is to inform buyers where they can supply themselves with the best articles. In this way, by means of former fairs, many excellent workmen have become better known, and have obtained permanent and profitable customers, who, while *they* have been better served, have at the same time rewarded and stimulated American skill and industry.

Articles entered for premiums must be delivered as early as Monday the 14th of October.

More particular notices will be published previous to the fair. For any other information which may be desired, apply to either of the managers, in person, or by letter.

| | | |
|---|---|---|
| James Lynch, | John Sampson, | *Managers.* |
| Andrew Williams, | Joseph Titcomb, | |
| Edward T. Blackhouse, | Jared L. Moore, | |
| Clarkson Crolius, jr. | George Bacon, | |
| Wm. F. Phyfe, | | |

## PASSED MIDSHIPMEN.

A board, composed of commodore *Jacob Jones* as president, and captains *J. J. Nicholson* and *W. B. Shubrick* as members, convened at Baltimore on the 6th May, for the examination of such midshipmen as presented themselves, agreeably to the orders of the department.

The following is a list of those who were found qualified for promotion, arranged in the order fixed by the board.

*Warrants dated in 1826.*

| | |
|---|---|
| 1. James P. Miller, | 6. Francis Bartlett, |
| 2. Henry A. Steele, | 7. Francis Huger, |
| 3. Charles Heywood, | 8. Robert J. Ross, |
| 4. Edward R. Thompson, | 9. William Chandler, |
| 5. William C. Farrar, | 10. George N. Hawkins. |

*Warrants dated in 1827.*

| | |
|---|---|
| 1. Thomas J. Page, | 20. William B. Ludlow, |
| 2. George Minor, | 21. Luther Stoddard, |
| 3. Percival Drayton, | 22. John R. Tucker, |
| 4. Wm. C. Griffin, | 23. William M. Walker, |
| 5. Oliver Tod, | 24. George R. Gray, |
| 6. Robert F. Pinkney, | 25. John Weems, |
| 7. Thomas R. Rootes, | 26. C. S. Ridgely, |
| 8. Edward M. Yard, | 27. Robert E. Johnson, |
| 9. J. T. McLaughlin, | 28. George McCreery, |
| 10. James M. Gilliss, | 29. William P. Jones, |
| 11. Alexander Gibson, | 30. John H. Maulsby, |
| 12. Wm. S. Young, | 31. John A. Winslow, |
| 13. Wm. W. Bleecker, | 32. Benjamin M. Dove, |
| 14. Joseph F. Green, | 33. James R. Sully, |
| 15. Algernon S. Worth, | 34. B. J. Moeller, |
| 16. Zach. Holland, | 35. Ferdinand Piper, |
| 17. Bushrod W. Hunter, | 36. Henry Walke, |
| 18. Wm. C. Spencer, | 37. John J. White. |
| 19. Overton Carr, | |

[*Mil. Mag.*

## ARMY PROMOTIONS AND APPOINTMENTS.

By an order through the adjutant general of the army, it appears that promotions and appointments in the army of the United States, according to the following list, have been made by the president, since the publication of the "order" No. 40, of May, 1833.

I—PROMOTIONS.

*First regiment of artillery.*

2d Lieut. James R. Irwin, to be 1st lieutenant, 31st May, 1833, vice Wheelwright, resigned.

Brevet 2d lieut. George Watson, to be 2d lieutenant, 31st May, 1833, vice Irwin, promoted—(*brevet*, July 1, 1832.)

*Third regiment of artillery.*

2d Lieut. Joseph W. Harris, to be 1st lieutenant, 30th June, 1833, vice Corprew, resigned.

2d Lieut. Robert Anderson, to be 1st lieutenant, 30th June, 1833, vice Brockenbrough resigned.

Brevet 2d lieut. Samuel H. Miller, to be 2d lieutenant 30th June, 1833, vice Harris promoted—(*brevet* 1st July, 1831.)

Brevet 2d Lieut. George H. Talcott, to be 2d lieutenant 30th June, 1833, vice Anderson promoted—(*brevet* 1st July, 1831.)

II—APPOINTMENTS.

*Staff.*

Charles W. Handy, Md. to be assistant surgeon, 11th May, 1833.

The following named cadets, constituting the 1st class of 1833, at the last June examination, having been adjudged by the academic staff, competent to perform duty in the army, the president has attached them as supernumerary 2d lieutenants, by brevet, to regiments and corps respectively, as indicated in the following list—

*Corps of engineers.*

Cadet Frederick A. Smith, to be brevet 2d lieut. 1st July, 1833.

Cadet Jonathan G. Barnard, to be brevet 2d lieut. 1st July, 1833.

Cadet George W. Cullum, to be brevet 2d lieut. 1st July, 1833.

Cadet Rufus King, to be brevet 2d lieut. 1st July, 1833.

*First regiment of artillery.*

Cadet Francis H. Smith, to be brevet 2d lieut. 1st July, 1833.
Cadet William H. Sidell, to be brevet 2d lieut. 1st July, 1833.
Cadet David B. Harris, to be brevet 2d lieut. 1st July, 1833.
Cadet Erastus A. Capron, to be brevet 2d lieut. 1st July, 1833.
Cadet David E. Hale, to be brevet 2d lieut. 1st July, 1833.

*Second regiment of artillery.*

Cadet Isaiah Garrett, to be brevet 2d lieut. 1st July, 1833.
Cadet Edmund Schriver, to be brevet 2d lieut. 1st July, 1833.
Cadet Henry Waller, to be brevet 2d lieut. 1st July, 1833.

*Third regiment of artillery.*

Cadet Roswell W. Lee, to be brevet 2d lieut. 1st July, 1833.
Cadet Robert R. Mudge, to be brevet 2d lieut. 1st July, 1833.
Cadet John A. Thomas, to be brevet 2d lieut. 1st July, 1833.
Cadet John H. Allen, to be brevet 2d lieut. 1st July, 1833.

*Fourth regiment of artillery.*

Cadet John H. Miller, to be brevet 2d lieut. 1st July, 1833.
Cadet James L. Davis, to be brevet 2d lieut. 1st July, 1833.
Cadet Alexander E. Shiras, to be brevet 2d lieut, 1st July, 1833.

Cadet Henry Dupont, to be brevet 2d lieut. 1st July, 1833.

*First regiment of infantry.*

Cadet George D. Dimon, to be brevet 2d lieut. 1st July, 1833.
Cadet Joel Riggs, to be brevet 2d lieut. 1st July, 1833.
Cadet George H. Pegram, to be brevet 2d lieut. 1st July, 1833.
Cadet James McClure, to be brevet 2d lieut. 1st July, 1833.

*Second regiment of infantry.*

Cadet Isaac R. D. Burnett, to be brevet 2d lieut. 1st July, 1833.

Cadet Henry W. Wessells, to be brevet 2d lieut. 1st July, 1833.

Cadet James W. Anderson, to be brevet 2d lieut. 1st July, 1833.

Cadet Thomas Johns, to be brevet 2d lieut. 1st July, 1833.

*Third regiment of infantry.*

Cadet Benj. E. Dubose, to be brevet 2d lieut. 1st July, 1833.

*Fourth regiment of infantry.*

Cadet W. S. Bliss, to be brevet 2d lieut. 1st July, 1833.
Cadet Benj. Alvord, to be brevet 2d lieut. 1st July, 1833.
Cadet John L. Hooper, to be brevet 2d lieut. 1st July, 1833.
Cadet John W. McCrabb, to be brevet 2d lieut. 1st July, 1833.
Cadet Abraham C. Myers, to be brevet 2d lieut. 1st July, 1833.
Cadet Henry L. Scott, to be brevet 2d lieut. 1st July, 1833.

*Fifth regiment of infantry.*

Cadet Daniel Ruggles, to be brevet 2d lieut. 1st July, 1833.
Cadet J. Chester Reid, to be brevet 2d lieut. 1st July, 1833.

*Sixth regiment of infantry.*

Cadet Jacob E. Blake, to be brevet 2d lieut. 1st July, 1833.
Cadet John P. Center, to be brevet 2d lieut. 1st July, 1833.
Cadet George H. Ringgold, to be brevet 2d lieut. 1st July, 1833.

Cadet Joseph P. Harrison, to be brevet 2d lieut. 1st July, 1833.

*Seventh regiment of infantry.*

Cadet Augustus F. Seaton, to be brevet 2d lieut. 1st July, 1833.

III—CASUALTIES—RESIGNATIONS.

*1st lieutenants.*

Washington Wheelright, 1st artillery, 31st May, 1833.
George P. Corprew, 3d artillery, 30th June, 1833.
Austin Brockenbrough, 3d artillery, 30th June, 1833.

*Brevet 2d lieutenant.*

Merewether L. Clarke, 6th infantry, 31st May, 1833.

IV—RULES TO BE OBSERVED IN ORDINARY CASES OF PROMOTION.

3. If a field officer, the officer *promoted* will join the regiment and station of his predecessor; if a company officer he will join the particular company where the vacancy to which he succeeds may have occurred.

The officers *promoted* will, accordingly, forthwith join their proper station and companies, except those on detached service, or who may receive special instructions from this office, they will report by letter, to their respective colonels.

5. The brevet 2d lieutenants will *join* their respective regiments, and report in person for duty, agreeably to regulations, by the *30th day of September;* and by letter, to their respective colonels, who will assign them to companies.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 22—VOL. VIII.] BALTIMORE, JULY 27, 1833. [VOL. XLIV. WHOLE No. 1,140.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ Mr. *William Shippey*, at the counting house of Messrs. *Peter H. Schenck & Co.* No. 34½ Pine street, is agent for the REGISTER in the city of New York, and generally authorised to transact all its business, in the receipt of orders, subscriptions, &c. &c. and will attend promptly thereto.

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THE CHOLERA.

Ten of the Indian youths at the Choctaw academy, at Blue Spring, Kentucky, have died of the cholera, and col. R. M. Johnson has lost fifteen of his slaves.

In the town of Richmond, Kentucky, in twenty days, up to the 16th inst. but nine persons had died of cholera, six whites and three blacks. The town was assuming its wonted lively appearance, its stores and offices were again open. But the disease was still raging in the county.

In the town of Lancaster, Ky. 116 persons had fallen victims to the disease from the 10th of June to the 8th of July, 58 whites and 58 blacks.

In Flemingsburgh 66 deaths had occurred, being about 1 in every 10 of its population.

In Lawrenceburg, Ky. 89 deaths had taken place out of a population of 250.

In Scott county, Ky. the disease was making the most frightful ravages.

The board of health of Maysville, Ky. announced, on the 11th inst. that the cholera had ceased to prevail in that city, and that all persons whose business or inclination may induce them to visit that place could do so in safety.

The canal hands at Williamsport, Md. are now said to be entirely clear of the disease.

The Wheeling Gazette of the 20th inst. says:—In Triadelphia, a village 8 miles east of this place on the turnpike, containing about 50 inhabitants, the cholera broke out with great violence on the 11th inst. In a few days there were 17 cases and 8 deaths. We understand the village has been almost entirely deserted.

*Little Rock, June 16.*—The steamboat Reindeer, capt. Cockran, arrived at this place on Sunday evening last, from New Orleans, in a most distressing condition—having lost SIX of her crew and passengers, by *cholera*, since she left the mouth of White river. One of her passengers was lying at the point of death when she arrived, and is still lying in rather a critical situation, and almost every soul on board was more or less affected with the epidemic.

The Pittsburg Gazette states that the cholera has never been known in that city as an epidemic, and the board of health announce, officially, that from the 11th of June, when the disease made its appearance, up to the 16th July, only 39 persons had died from the disease.

There had been little or no melioration of the disease in Kanawha Salines, Va. and its vicinity up to the 18th inst. The whole number of deaths, as ascertained in the county, we learn from the Charleston Banner, was 74. In Charleston, Va. there had been six or seven cases of cholera and three or four deaths.

The National Intelligencer, on the authority of a student announces that the cholera had made its appearance at Princeton, New Jersey, and that the students of the college had, in consequence, been permitted to return to their homes.

In Indiana the disease is spreading, as is also the case in Ohio. Deaths have occurred at several of the small towns on the Ohio river, and in the interior, we notice deaths at Lebanon, Dayton and Columbus, though in none of these places does it appear to possess the malignancy which marked its progress in Kentucky.

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STRANGE! The following, extracted from a Connecticut paper, has been spoken of in "*tribute* to Andrew Jackson!"

"He travels unarmed and unattended, but by his household, by day or night, through a land where every house he sees is his home, and every man he meets is already enrolled as his life guard."

The remark is well—and proper. But the servile stupidity is in reference to it as something *extraordinary*. The "collar" is manifest! None but a grovelling slave—a fit subject for the sultan of Turkey, would imagine a *president* of the United States travelling otherwise—for so all our presidents have travelled, and, we trust in heaven! always will do. We have seen *president* Adams taking care of his own baggage in a steamboat—and sitting down at the common table, like any other passenger—and thus, we hope, that it ever will be. And there are tens of thousands of men, who were most decided in their opposition to the election of *general* Jackson to the presidency, who would have risked their lives to have prevented the insult inflicted on *president* Jackson by ex-lieutenant Randolph, had they been present, and foresaw what was about to happen. And the general idea given out in the preceding extract, is as old as the constitution. We saw *general* WASHINGTON thus proceeding to New York, to take his first oath as president—and have seen *president* WASHINGTON on his return to Mount Vernon—"unarmed and unattended, but by his own household;" and beheld a negro, doff his three cornered *revolutionary* hat, and heartily shake hands with him who was "first in war, first in peace, and first in the hearts of his countrymen"—whose "name and fame" will outlive the pyramids of Egypt, and be more and more cherished as time shall hallow their adamant. It is the glory of our country that such things always have been; and to suppose that they can be otherwise is—"moral treason."

UNITED STATES BANK. The New York Commercial of the 18th inst. remarks: "The government deposites have become a fruitful source of speculation, and some of the stock brokers are endeavoring to inculcate a belief that the president intends to remove the public money to the state banks. If he has any such intention, we should incline to the opinion that he would not again entrust certain folks in Wall street with the secret. Be that, however, as it may, it is certain that a premium of 25 per cent. was paid yesterday in Wall street, to insure that the deposites would not be transferred before the next meeting of congress, and Mr. Jacob Barker accepted the premium, and wrote such policy."

IRON. *From the Albany Daily Advertiser.* It is not only our own opinion, but we are confirmed in the belief, by many with whom we have conversed, that the manufacturing of castings is brought to greater perfection in Albany than in any other place in this country, and, we may add, even Europe. The hollow ware of Bartlett, Bent & Co. is preferred to the best "Scotch hollow ware"—the stoves of Dr. Nott receive the preference wherever they are known, and the machinery castings of Many & Ward, and others, are equal to those of any foundry in the world.

The amount of castings consumed in this section of the country, may be judged of by the following facts:

| | | | |
|---|---|---|---|
| Howard, Nott & Co. | melt | annually about | 1,000 tons. |
| Bartlett, Bent & Co. | do. | do. | 350 |
| I. & J. Townsend | do. | do. | 300 |
| Rathbone & Silliman | do. | do. | 200 |
| Many & Ward | do. | do. | 450 |
| Total | | | 2,300 |

About one thousand persons obtain their support from the employment derived from these establishments.

In addition to the amount of irons melted here, Messrs. Heermans, Rathbone & Co. sell annually 750 tons stove plates (from Philadelphia) and Gill, Cooper & Co. about 300 tons from same place.



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From the best information we can obtain, there are about 2,300 tons of castings manufactured and sold in this city, and about 1,250 tons imported and sold here—making in all 3,550 tons.

VERMONT. The "union" proceedings noticed in the last "Register," it appears, will be strongly opposed—and Mr. *Seymour*, late of the senate of the United States, has been nominated, in several of the anti-Jackson papers, for the office of governor.

NEW YORK CANALS. *From the Albany Argus.* The tolls collected on all the canals of the state, for the month of June, amount to the sum of $174,646 90—being $4,260 33 more than the receipts of the corresponding month of the last season. The following statement exhibits the sum received on each canal for the month of June, to wit:

| | |
|---|---|
| On the Erie canal | $148,170 46 |
| Champlain canal | 21,165 24 |
| Cayuga and Seneca canal | 2,411 17 |
| Oswego canal | 2,900 03 |
| | $174,646 90 |

The whole sum received for tolls from the opening of navigation to the 30th of June, two months and eight days, is $500,211 94 cents; being $58,240 96 more than the receipts up to the same period in 1832.

[The increased amount of the tolls on these canals is not proportioned to the increase of business on them—for the rate of the tolls had been considerably reduced.]

UNIVERSITY OF NEW YORK. The following is the close of Dr. *Matthew's* address, on laying the corner stone of the university of New York:

"With these hopes and prospects, in the name of the most high God, the Father, the Son, and the Holy Ghost, from whom cometh down every good gift and every perfect gift, and with whom is no variableness, neither shadow of turning, *do we now lay this corner stone of the university of the city of New York;* and with the humble hope of his blessing and favor, we dedicate it

"*To the cause of freedom*—of freedom, civil, intellectual, and religious; and to that high cause for which our fathers were first exiles and then warriors. May this institution furnish able and devoted sons, who will appreciate and maintain the privileges transmitted to them as their heritage and birthright. We dedicate it

"*To the cause of letters—of science and education*, the brightest earthly ornaments of a nation, free and happy as ours, and without which, freedom itself soon degenerates into coarse licentiousness, and results in anarchy and every evil work. We dedicate it

"*To the cause of religion*—for without this, the tree of knowledge is severed from the tree of life; but with it freedom and knowledge alike become sanctified into blessings that endure forever.

"And firmly and permanently as we have now laid this corner stone in its place, would we also lay this institution deep in the affections and confidence of this community, and commit it confidently to the care and patronage of Him who sees the end from the beginning, and in whom we trust, that after our names and memorials shall have passed away, this university will remain a pillar of light and glory to our city and our nation. *Esto perpetua.*"

EASTON, PA. The anniversary was celebrated with great spirit in this prosperous town, by military and civic processions, &c. but was specially remarkable because of the laying of the corner stone of "Lafayette college," on which a noble edifice is to be erected, with appropriate ceremonies.

On settling the stone to its place, colonel Porter, (president of the board of trustees), said:

"Here, on the anniversary of our independence, we dedicate this building to the cause of science and education. May it long be the seat of virtue and learning. May the example of him whose name it bears and who is well described as the model of republican chivalry, the hero of three revolutions, of two centuries and of both hemispheres, inspire the youth who shall be here educated, with the proper spirit of patriotism and philanthropy. And may the all bounteous Author of nature bless this our undertaking, protect those engaged in completing this structure from accident and harm, and long preserve it from decay."

BALTIMORE. The ship-building business continues to be prosecuted in Baltimore with unabated activity. Within a short time past, the keels of five brigs, six schooners and a steamboat have been laid down, the greater proportion of which, including the steamboat, are building for account of owners in other cities. Two noble ships, of 500 to 600 tons each, are advancing towards completion, and one of them is expected to be launched in about a fortnight. They are both designed for merchants of Petersburg, Va. Our naval architects possess that peculiar skill and talent in the line of their profession which cannot fail to secure them full employment, as long as first rate vessels are required. [*Amer.*

In the quarter ending July 1—there was inspected in Baltimore 134,047 bbls. and 1,494 ½ bbls. wheat flour—87 bbls. and 5,226 bbls. corn meal—146 bbls. and 35 ½ bbls. beef, 3,367 bbls. pork—the two last nearly all "foreign" packed.

BALTIMORE AND OHIO RAIL ROAD. A late report of a committee of the board of directors shews:

| | | |
|---|---|---|
| That the receipts for transportation during the last six months, appears, by the accompanying statement of the superintendent of transportation, to have been | | $92,556 86 |
| That the expenses of transportation, and the salary of the superintendent of transportation were | $41,534 35 | |
| That the repairs of the road, machinery and attendance on the same, and salary of superintendent of machinery, were | 18,374 89 | |
| The wear and tear of horses and harness is estimated at | 2,800 00 | |
| | | 62,709 24 |
| Leaving, after deducting the foregoing items, the sum of | | $29,847 62 |

The income and expenses of transportation in the first six months of 1832 and 1833 are thus shewn:

| *Income.* | | *Expenses of transportation.* | |
|---|---|---|---|
| 1832, | $78,160 44 | 1832, | $41,414 29 |
| 1833, | 92,556 86 | 1833, | 41,534 35 |

NORTH CAROLINA. The internal improvement convention of the state of North Carolina met at Raleigh, on the 4th instant. The honorable *D. L. Swain*, governor of the state, was chosen president, and two secretaries were appointed. One hundred and eighteen delegates were present. A committee, composed of one member from each county delegation, was appointed, to whom were referred all matters of inquiry, with instructions to make a general report. This committee made a detailed report on Friday afternoon, which produced a protracted discussion. After being modified in several particulars, it was finally adopted, on Saturday. Nearly the whole of the debate which occurred in the convention, took place on a resolution reported by the committee, which affirms "that the true policy of the state requires that its funds should, in the first instance, be *exclusively* applied to providing the means of internal transportation, and in creating and improving markets within her own limits." The true point appears to have been whether the necessary improvements should not terminate at some point or points in North Carolina, rather than be connected with improvements, in other states on the north, south and west, which might lead the trade to Norfolk, or to Charleston, or down the western waters to New Orleans.

The resolutions finally adopted declare it expedient that "a liberal system of internal improvements should be immediately organized and vigorously prosecuted;"

That the general assembly ought to provide "by law or otherwise," a fund for purposes of internal improvement;

That this fund ought to be applied "in the first instance, *exclusively*" to creating and improving markets within the limits of the state;

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That provision ought to be made by law, that the state shall subscribe for *two-fifths* of the stock of every company chartered for internal improvement; and

That every company so chartered, ought to have power to cross and intersect at pleasure, any work previously authorised or made.

Committees of correspondence and to address the people of the state on the subject were appointed, and a memorial was directed to be laid before the next legislature. A new convention was recommended, to be held in November next, to deliberate farther.

OHIO CANALS. The tolls received on the Ohio canal, in May last, amounted to $16,933 80—same month, last year, $10,147 43. On the Ohio and Miami canal, last May, $3,340 14—same month, last year, $3,734 58.

NATCHEZ is about 400 miles from the ocean—but about to become a great seaport, by the aid of steam vessels ascending the current of the Mississippi, towing up ships. The state of Mississippi now exports about 225,000 bales of cotton, and is growing rapidly in population and means to double the quantity, if the market remains good.—There seems hardly a limit to the amount of cotton which may be produced.

THE DUTIES which accrued at Boston in the two first quarters of 1832, amounted to $2,647,130 24: in the two first quarters of the present year $1,821,957 79. The reduction is chiefly caused, no doubt, by admitting coffee, tea, &c. duty free; and yet the price of these articles has not declined.

In Philadelphia, the amount of duties in the two first quarters of 1832, was $2,310,178 49: in those of 1833—$1,322,772 23. The duties which accrued at New York were mentioned in the last REGISTER.

THE COAL TRADE. 111,577 tons have descended the Schuylkill—the present season, up to the 14th inst. The cost of coal, at different points of embarkation is from $2 00 to $2 50 per ton, and the freight to Philadelphia from 112½ to 125 cents per ton.

THE NORTH WEST. A lot of ground in *Buffalo* (without buildings) lately sold for $75,000. It was purchased a few years ago for $800. A steamboat has been built at *Huron*, (on lake Erie) 200 feet keel, and her engines are to have the power of 240 horses! Well situated stores in *Detroit* rent for 600 or 700 dollars.

WHEAT. The standard weight for merchantable wheat this season, has been fixed by the city millers of Richmond, at 58 lbs. the bushel. Last season it was 60, and half the crop weighed 61. [*Whig.*

BRITISH IMPORTS OF GRAIN, MEAL AND FLOUR. By a parliamentary return just published, it appeared that the following quantities of foreign and colonial grain paid the duties for the home consumption during the interval between the first day of the operations of the corn bill (9 Geo. IV. c. 60) which took effect on the 15th of July, 1828, and the 1st of April last.

| | *Foreign corn.* | *Colonial.* | *Total.* |
|---|---|---|---|
| Wheat, | 4,795,746 | 353,905 | 5,148,651 |
| Barley, | 1,067,068 | 213 | 1,067,370 |
| Oats, | 1,455,987 | 8,818 | 1,464,815 |
| Rye, | 141,869 | | 141,869 |
| Peas, | 195,201 | 5,521 | 200,722 |
| Beans | 178,452 | | 178,452 |
| Buckwheat, | 34,859 | | 34,859 |
| Indian corn, | 100,225 | 11 | 100,236 |
| Quarters, | 7,968,405 | 367,578 | 8,336,083 |

The annual average of foreign grain entered for home consumption during the period in question, appears, therefore, to have been as under—

| | *Quarters.* | | *Quarters.* |
|---|---|---|---|
| Wheat, | 895,410 | Peas, | 43,900 |
| Barley, | 185,630 | Beans, | 31,030 |
| Oats, | 254,759 | Buckwheat, | 6,060 |
| Rye, | 25,630 | Indian corn, | 17,430 |

The duties paid upon the 7,968,405 quarters of foreign corn amounted, within the above interval, to £2,501,713, being an average of about £435,080 per annum. Those on colonial corn, paid on 367,578 quarters did not produce more than £60,378.

The quantity of wheat, meal and flour, being foreign, on which the duties were paid, was 1,880,534 cwt. from which the revenue derived the sum of £182,888; that of colonial articles of the like description was 372,446 cwt. which paid duties to the amount of £15,076.

[The quarter of wheat is 8 bushels, of 70 lbs.]

A MACHINE has been invented in Cincinnati for cutting wheat, or any other small grain, by horse power. It is stated that it will, when propelled by two horses, cut as fast as eight persons can bind. A fair trial has been made of it in the presence of several members of the agricultural society of Hamilton county. It met their fullest approbation, and the editor of the Cincinnati Advertiser, who has seen the machine, expresses his opinion that it may be applied to cutting grass also. This, if it proves fully successful, is an important invention; but so many ingenious novelties have been brought forward of late, and so few have answered the expectations at first held out of their utility, that we are disposed to be somewhat cautious and incredulous.

SPERM OIL. The city of Boston has contracted for a supply of oil for the street lamps at the following rates, viz:—summer oil 90 cents, and winter 1 dollar per gallon. Greatly as the whaling business has increased within a few years, the supply of oil does not equal the demand, and the price is therefore constantly and steadily on the increase. It is almost impossible that the market should be over-stocked.* [*Salem Gazette.*

AN IMMENSE VINEYARD. Von Meyerfiky, a land-owner at Pesth, in Hungary, is completing a vineyard in that vicinity, which will probably be the largest ever known in Europe. Its superficial area is nearly four hundred acres, and its produce, even in moderately favored seasons, will not be short of five and twenty thousand sulms, or 375,000 English gallons. As a receptacle for this produce, the grower is erecting a cellar sufficiently spacious to receive double the quantity. Meyerfiky's brother, too, is by no means a small dealer in this branch of the liquor trade; for he is on the eve of starting a rival to the famous sire of Heidelburg, viz: a tun made entirely of marble, and capable of containing 63,000 gallons.

A CURIOSITY. A gentleman of New Haven, (Con.) has several volumes of the first newspaper that was ever published in England. It was commenced in 1558, and is entitled "The English Mercurie" which, by authority, is imprinted at London, by Christopher Baker, her highness's [queen Elizabeth's] printer.

CASE OF SEDUCTION. *From the Lynchburg Virginian, July 15.* The superior court of this corporation was engaged the greater part of Wednesday and Thursday last in the trial of a case of seduction; the first action of this sort, we believe, which has been brought before it since its organization. The plaintiff was Benjamin A. Philips, who instituted a suit against Tinsley Padgett, for the seduction of Maria Philips, under a promise of marriage, the consequence of which seduction was the birth of an infant during the last winter. We were not at court on Wednesday and did not hear the testimony, but the character of it may be inferred from the fact that the jury returned a verdict against the defendant of *thirteen hundred dollars damages*—a sum, according to his statement of his pecuniary resources, which he is unable to pay.

GOV. STOKES. At the anniversary dinner, at Jefferson Barracks, Missouri, the following toast was given—

*By the president of the day*—I give, a friend, a statesman, and a revolutionary soldier, now a distinguished guest—gov. Stokes, of North Carolina.

After this toast was announced, gov. Stokes rose and said—"Gentlemen, among strangers, few of whom I have

*Because of the home market. The British duty upon it, until 1826 was £34 18s. 3d. per tun, and still is £26 12s.—or $127 60. ED. REG.

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ever seen before, and fewer still of whom I ever expect to see again, I feel highly gratified with the attention shown me on this occasion—I shall ever remember it with pleasure. I entered the service of my country at a very early age; I was in the battle of King's Bridge at Norfolk—I have been 44 years in the public service, (this year will make 45), and I expect to die in the service of my country, as I am old and have but a short time to live. I will give you—The young, rising, and flourishing state of Missouri."

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Miss Crandell, a young lady, has been imprisoned in Connecticut, because that she persisted in keeping a school for "young ladies of color," at Canterbury—"contrary to law." She has been bailed out.

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The Siamese twins, being at Cleveland, Ohio, were visited by Black Hawk and his party, who seemed much interested in seeing them, and asked many questions. Black Hawk addressed the twins, (through the interpreter), for five minutes or more. The substance of the address was—"That he and his friends had heard of the twins, and having been very anxious to see them that they felt pleased in having their wishes gratified."

He said "the Great Spirit had made them as they were, and would protect them and be their guide and protector, should they again cross the great waters."—The concluding phrase of his address was, "the Great Spirit will call both to him at once."

The Indians sat with the twins for nearly fifteen minutes.

He added "that he would show to his red brethren the portrait which they had presented to him, and would tell them what he and his friends had seen."

[*Cleveland Adv.*

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"Western women. I saw there a couple of splendid western beauties. The south produces elegant women, and the valley of the Mississippi splendid ones. There is an originality—a raciness—among the women of the west, which is eminently attractive. They touch the confines of civilization and barbarism with such a daring grace, that the precise petits maitres of the Atlantic are thunderstruck or turned into gaping statues at their fascinating wildness and enchanting audacity. A western or southern belle fresh from the woods, is a sealed book to an Atlantic dandy. He cannot understand her; he has not the key; she is beyond his vision. To know them properly; to estimate them accurately, we must have been lost on the Alleghanies; shipwrecked on a foreign coast, drank sherbet with the Turk; tasted the river Jordan, or been killed and eaten by pirates. It is quite distressing to see the Atlantic belles pick their way through a crowded drawing room. They sometimes stand on the outward edge of the crowd, and look despairingly to a friend at the other end of the room, as one would look upon the spires of Cincinnati from the pinnacles of the Alleghanies, or a traveller look across the Arabian deserts. A western belle dashes through the crowd as she would through the river mounted on horseback. Nothing impedes her. She makes manners, and controls the rulers of society as she marches through it—throwing dandies aside as a ship does the billows. The southern fine lady glides like a sylph; full of feeling and passion, which give edge to her conversation and fire to her eyes."

[*Portland Adv.*

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Ireland. It is almost constitutional with us to wish well to the oppressed people of Ireland—so long have we entertained a deep sense of the injuries inflicted upon them by the "tyrant" which also oppressed our fathers, in our own land; but have oftentimes had to regret proceedings of the *character* of those stated below—though the "organization of volunteers" mentioned was only, as we believe, in the idea of some ignorant person. And it is also a great misfortune, that foreigners, becoming citizens of the United States, do not always recollect that they are a part of the general mass of the people, and should have only such motives and feelings as belong to the new allegiance they have voluntarily made; not being a *separate party*, because of the place of their nativity.

The "Dublin Pilot," under the head of "American sympathy for Ireland," says—"We have received a copy of the *United States Gazette*, of April the 18th, in which is contained a long account of a public meeting held in Philadelphia, of gentlemen interesting themselves in the condition of Ireland. The proceedings of this meeting are too strongly worded to be given publicity to in an Irish paper. The discussion was a very animated one, as it referred to the coercive bill. The result was to appoint a committee to prepare a constitution and by laws for the proposed organization of "the association of the friends of Ireland." A correspondent states, "*that meetings will be held all over America, and volunteers organized on the model of* 1782."

"Every good rule must work both ways." What would some of us have thought, in 1798, if such proceedings had been intimated as happening in *England*—with respect to the condition of things in the *United States?*

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British West India colonies. The following statements, which we subjoin from the official returns for the year 1829, will be some guide as to the value of these colonies to the mother country:

| | |
|---|---|
| The exports from these colonies to England amounted to | £9,087,919 |
| The same to other parts | 3,000,000 |
| Gross exports | £12,087,919 |
| The imports into the colonies from England amounted to | £5,521,169 |
| The same from other parts | 3,100,000 |
| Gross imports | £8,621,169 |

And this trade gave employment to 18,000 British seamen.

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Statistics—St. Petersburgh. The following is a table of the population of St. Petersburgh in 1832—males 294,468, females 154,900; total 449,368. Among them are ecclesiastics 2,188, nobles 34,079. Soldiers 39,437, merchants 10,828, artisans 24,179, citizens 36,732, of the middle class 66,366, foreigners of various conditions, with the exception of merchants and artisans, 7,199, domestic servants 94,000, peasants 127,865, inhabitants of Ochta 3,388. Births, males 5,198, females 4,969; total 10,167. Deaths, by various diseases, males 11,032, females 5,230, by accident 675; total 16,937. Excess of deaths 6,758. This great excess of deaths is not to be ascribed to the insalubrity of the climate, but to the disproportion between the number of the sexes. The male proportion being nearly double the female, the number of families is, of course, not proportionate to the gross amount of the population; accordingly, the excess of deaths is found in the males, and ought to be deducted.

[*Literary Gazette.*

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"Lord Panghuloo." To those who are in the habit of puffing great men and little men, we recommend the following extract from a recent narrative of Housain Ben Ismail El Hum, in which he describes the natural and supernatural qualifications of his master, Abubaker lord Panghuloo, a Mahometan Malay chief who rules at Malacca. The puffers and flatterers in this country will not meet with any thing in this more extravagant than they are accustomed to, but they may find some new expressions to grace their adulation.

"Praise be to Allah and Mahomed who is his prophet! under whose favor ruleth in wisdom and power the mighty chief, pre-elected of God, Abubaker lord Panghuloo of the country of Nanning; the comforter of his people in peace, and when battle rages, the shedder-of-the blood of his enemies; the shield of his wide domain and the vanquisher of invaders, who healeth with a touch those who ail, and with a breath disperseth his foes; whose house is the abode of propriety; who is faithful, valiant and discreet; courteous to his neighbors, and who is continually manifesting his tenderness to the needy; may prosperity, honor and lengthened sway wait upon his highness, and upon his foes confusion and despairing defeat; of whose proceedings in peace I indite the justice and wisdom, and of whose actions in war I record the tempestuous and scattering fury; and from whose countenance the rays of conquest and greatness illumine the page of me, his servant *Housain Ben Ismail El Hum*,

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recording his praise-worthy and valorous acts, that they may be known in all countries both above and below the wind, and be read by those who dwell to the east and the west of the sun, that his example may be remembered, and his greatness prolonged—And so be it."

[We know not the paper to which "credit" is due for the preceding—else would gladly award it. It is a fine specimen of crawling and puffing—and well fitted to the present state of the times.]

Relics of Mary queen of Scots. Certain interesting relics of the never to be forgotten queen of sorrows as well as of beauty, are yet amongst us, and in the possession of personages of her own gentle sex. The celebrated casket, said to have contained the fatal letters produced to excuse her condemnation, grace the cabinet of the honorable Miss Grimson. The pearl necklace, which used to adorn her beautiful neck in the bright days of her charms and her power, is the sometimes ornament of her no less lovely countrywoman, Miss McDonald. And the hallowed little cross which lay on her bosom in the hour of execution, is regarded as a sacred inheritance in the family of the duchess of Richmond. And, perhaps, what is the most affecting relic of them all, the last garment which folded around her in the last act of that horrible scene, and stained with her blood, is in the possession of the house of Throckmorton. Some touching verses show how often it has been embalmed with a tear from the gentle eyes of lady Throckmorton, the beautiful friend of the sweet bard of the "The Task."

[*English paper.*

"True chivalry." The following is related by Mr. Rush—"Sir Felton Harvey, aid-de-camp of the duke of Wellington, had lost an arm in battle. Whilst one of the battles in Spain was raging, the duke gave him an order to convey to another part of the field. Half across it, a French officer was seen galloping towards him. Sir Felton's sword hung by his side, though he could not wield it; it was his right arm he had lost, and the other held the bridle; but he faced the foe, looking defiance. As they swiftly drew near, the Frenchman raised himself on his stirrups, his sword uplifted. Discovering, at the very moment for the stroke, his adversary to be defenceless, he brings down his weapon in the form of a complimentary salute, and rapidly passes on. He gave his salute in silence." This was true chivalry.

## BRIEF NOTICES.

We shall carefully refrain from entering into the merits of the matter, but having two or three times noticed the subject, we feel it right to say—that the *excitement* in Rhode Island, against the rev. Mr. Avery remains unabated. It would almost seem, indeed, that though acquitted by the verdict of a jury, he has yet to pass through the ordeal of public opinion.

According to the Dublin Journal, the number of Protestants who have emigrated from Ireland during the last few years is as follows—In 1829, 12,000; in 1830, 21,000; in 1831, 29,500; in 1832, 31,500—making a total of 94,000 during the short space of four years.

The New Haven Herald states that Messrs. P. S. Galpin & Co. being desirous of removing their carpet factory to the east bank of the harbor, contracted with Messrs. Wooding & Sperry, of Hamden, who effected the removal in a few days, bodily, without the workmen ceasing from their work. It was first taken up an ascent of 20 feet, and then conveyed about three-fourths of a mile. The building is 76 by 30 feet, and contains 16 looms, with apparatus.

John Randolph, at the time of his death, was in possession of 318 slaves, and 180 horses, of which 120 were blood horses.

With deep regret we annnunce the death of general *John Coffee.* He died on the 7th inst. in the 62d year of his age, at his residence near Florence, Alabama.

This brave man was one of the noblest specimens of an *American citizen soldier.* We saw him last winter on a visit to the president, to whom he had been a *right* arm throughout the war, and were greatly struck with the plain, unpretending, farmer-like appearance of one, who had been a thunderbolt in battle. He had nothing of "*the pride, pomp, and circumstance of glorious war*" about him. Although of exceedingly robust, Herculean person, he had not a *martial* look. His manners were gentle—the expression of his countenance quiet and thoughtful—and his whole air and aspect wore the appearance of serious, religious feeling.

And this tone of mind, roused to enthusiasm, characterized his soldiership. One of the bravest men that ever led a column to the charge, and inspiring all with his own energy, the animating motive in his own bosom, was *devotion* to his country.

[*Globe.*

According to a Berlin article of the 7th May last, the university of Berlin has forty-six regular and forty-four extra professors; forty-three private tutors—altogether one hundred and thirty-three teachers. There are eighteen hundred and thirty-two regular students, and from five to six hundred persons who follow courses of lectures.

Joel Clough, the murderer of Mrs. Hamilton, who was under sentence of death, made his escape from the Mount Holly state prison between Saturday night and Sunday morning last; but was captured about dusk on Sunday evening. He was discovered coming out of a swamp on the Rancocas, by a colored man, about three miles west of Mount Holly, who gave the alarm, and was soon joined by several persons. Clough made no resistance though he had an axe in his possession. He was taken back to prison, and was to have been executed yesterday.

A most foul and unnatural murder was committed in Pittsylvania county, Va. on the 10th instant by Armistead Craft, on the person of his brother, George Craft, jr. at the house of his father Philip Craft. Immediately after committing the deed the murderer fled; and the father was taken up on suspicion of having aided the escape of his son and thereby becoming an accessary after the fact; but after full examination before a court of justices, was discharged, the testimony not being sufficient.

The citizens of Lexington, Ky. held a meeting on the 10th inst. to take into consideration the expediency of establishing an orphan asylum in that place. A committee was appointed to solicit subscriptions and draft an address to the citizens of the city and county.

*Melancholy*—We learn, that recently, in a neighboring town, an effigy of the rev. E. K. Avery was suspended in a public situation, at some period in the night. In the morning it was seen by the people passing, and among others, by a young man, who had, for a brief space, been subjected to *mania melancholia.* He immediately came home, and observed to his mother and brother: "They say that the man hung up out there is intended to represent Mr. Avery—but it don't. I know what it's meant for—it's meant for *me!*" He seemed grieved, and "more in sorrow than in anger." About two hours after, he was found dead, having hanged himself with a cord. Thus it would seem, that in one instance at least the suspension of effigies has been attended with more immediately serious consequences, than the excitement of the public feeling, which they naturally enhance or engender. [*Providence Journal.*

Mathew T. Scott, esq. has been appointed cashier of the U. States branch bank, at Lexington, Kentucky, in the place of Joseph Fowler, deceased; F. Dewees, teller, in place of Mr. Scott, and T. W. Hawkins, clerk, in place of Wm. T. Smith, deceased.

John Thaw, esq. has been appointed cashier of the branch bank of the United States, at Pittsburgh, in place of James Correy, esq. resigned.

Several cases of hydrophobia have recently been mentioned in the newspapers. Elicited by them, the following cure is published in the Boston Morning Post; of what efficacy it is to be considered, remains to be seen:—

"The inhabitants of Gadici have made the important discovery, that near the ligament of the man or beast bitten by a rabid animal, and becoming rabid, pustules of a whitish hue make their appearance, which open spontaneously about the 13th day after the bite; and at this time, they say, the first symptoms of true hydrophobia make their appearance. Their method of cure consists in opening these pustules, and making the patient spit out the ichor and fluid which run from them, often washing the mouth with salt water. This operation should be performed the ninth day after the bite. The remedy is so effectual, that with these people this hitherto incurable disease has lost its terrors."

The steamboat Bonnets of Blue has been recently lost between Savannah and Mobile. The passengers and crew with the exception of one negro were all saved.

A public meeting has been called in Edgefield, S. C. to take into consideration the construction of a branch from the Charleston and Hamburg rail road to the former town.

The manufacturers of iron in the city of Pittsburgh, have determined to abandon the present mode of weighing iron in *gross,* and adopt that used in weighing other articles of merchandise. This alteration to take effect on the first day of August next. The price of iron, however, is to be reduced, to correspond with the reduction in weight.

James M. Mason, esq. of Winchester, has been appointed by the executive a visiter of the university of Virginia, in the place of gen. James Breckenridge, deceased.

A meeting of the people of the county of Lunenburg, Va. will be held at their court house on the second Monday in August next, to take into consideration the propriety of an immediate public expression of their opinions in regard to the nomination of Benj. W. Leigh, esq. as a candidate for the office of president of the United States.

A splendid animal. There is now exhibited in Portland, Maine, a bull, seven years old, weighing three thousand five hundred pounds. He measures 11 feet 9 inches from his nose to his tail, girts nine feet, and is 5 feet 8 inches in height. He is of the improved short horn Durham breed.

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A letter from Vera Cruz, under date of 15th June, states that the yellow fever had carried off one-eighth of the population of that place within forty days.

General Solomon G. Krepps, a senator of Pennsylvania, died at Brownsville, Pa. on the 14th inst. of cholera. Gen. Krepps is highly spoken of as an able and useful senator.

## FOREIGN NEWS.

*From Liverpool papers to the 9th June, inclusive.*

### ENGLAND.

The question of rechartering the bank of England, was brought forward in the house of commons by the chancellor of the exchequer, on the 31st of May, and carried, and the plan as proposed by ministers has been subsequently acceded to at a meeting of the stockholders. The favorable result of this important question has given a fresh impulse to the commercial and moneyed affairs of England. Confidence being restored, the funds rose, money was plenty, and business was moving on with healthy action. The American merchants will be glad to learn that cotton in Liverpool had risen three-eighths of a penny, and that upwards of forty-seven thousand bags had been sold during the first week of June. We trust, however, says the New York Commercial, that speculation in this country will proceed with caution. Remember the fatal year of 1825.

On the 3d of June, the duke of Wellington brought forward a motion for an address to the king, calling on his majesty to enforce a strict neutrality in relation to Portugal, and charging the ministers ever since they had been secure in their places, with pursuing a course most injurious to the country. After a long debate the motion was carried; contents 88, non contents 68, majority against ministers 20.

The reply of the king to the address of the lords was presented by the marquis of Wellesley, lord Steward of his majesty's household, on the 6th. It was laconic, to the point, and gave little satisfaction to the party of the duke.

An address approbatory of the conduct of ministers had subsequently been introduced in the house of commons, and after a fiery debate carried; for the motion 361, against it 98, majority for ministers 263.

The discussion on the slave question came up in the house of commons on the 3d. Mr. O'Connell opened the debate, and spoke at great length in favor of immediate emancipation.—Lord Sandon followed, and for the purpose of harmonising, was also in favor of immediate emancipation; but offered an amendment, increasing the grant to the proprietors of slaves to twenty millions, and a loan of ten millions. The chancellor thought the sum too large. After much discussion, Mr. Stanley said, he *congratulated the country and the world* that the *fiat* had gone forth; that the abolition of slavery was inevitable; and that the question was now reduced to the matter of compensation. The first resolution was then put and carried; and as lord Sandon did not press his motion, the committee rose and had leave to sit again.

Lord King, baron of Oakham, died in London on the 4th of June, he is succeeded in his title by his son Peter, now lord King.

Prince George, the only son of the duke of Cumberland, is said to have become totally blind. He has been looked upon since the death of the duke of York as the probable occupant of the throne, and husband to the princess Victoria.

Disturbances continued in Ireland.

Sir Stratford Canning had arrived at Paris on his way from Madrid to London.

### FRANCE.

A riot took place at Boveg, near Amiens on the morning of the 23d ult. The gen d'armes were compelled to retire, at first; but being reinforced were enabled to take five prisoners, whom they handcuffed and were about conducting them to Amiens. The sight of the handcuffs so incensed the citizens, that the mob was again rallied in great numbers, and the gen d'armes obliged to abandon their charge. A detachment from the garrison of Armieas arrived and quelled the riot without bloodshed.

The colliers in the neighborhood of Vallenciennes, to the number of 5,000 had tumultuously assembled and committed great excesses. Ten thousand troops had marched against them for the purpose of quelling the insurrection.

### HOLLAND AND BELGIUM.

England and France are said to have made a treaty with the king of Holland, in which they yielded to the latter those points for which he so strenuously contended. Belgium it is said is left in the precarious state in which William has thought proper to place her, occupying territory which she cannot keep, and not occupying all the parts belonging to her; without fixed boundaries, possessed of nothing which constitutes stability, inspires confidence, or insures the future happiness of a country. The elections in Belgium have resulted in favor of the Catholic interest.

### GERMANY.

Serious disturbances took place at the fete of Hambach, and the Bavarian troops were compelled to charge the multitude; five persons were killed and fifty-four taken prisoners. Symptoms of disaffection had also been manifested by parties of college students.

### TURKEY.

The viceroy of Egypt had ordered Ibrahim pacha to retire immediately behind the Taurus, with all his army.

The revolts against the sultan in Albania and Bosnia had become general. The Ottoman troops have been driven from all the places they occupied and the Turkish functionaries deprived of their employments. The Servians, from Vidin to Nissa, unanimously refuse to pay their taxes, and the Greeks of the districts of Verevin and Greneva are also in open rebellion against the grand seignor's government.

### GREECE.

An order issued by the regency, declaring all Greeks foreigners who do not take an oath of fidelity to king Otho, had excited general discontent and in some places had been openly resisted.

### ITALY.

An insurrection had broken out in Italy having for its object a republican government. The centre of operations was to be Chambery, and the Polish refugees were to aid. The plan is said to have been a simultaneous movement on the Sardinian states, France and the French parts of Switzerland.

### PORTUGAL.

The accounts from Oporto are unfavorable to the success of Donna Maria's cause. The cholera was spreading throughout the kingdom.

## THE PRECIOUS METALS.

*From a late London paper.*

An elaborate paper prepared in the foreign office has been laid before parliament, which decides the question as to the comparative productions of the American gold and silver mines during the last ten years, ending with 1829, and the periods immediately preceding. This return exhibits a material falling off; and although much of the diminution may, perhaps, fairly be attributed to the unsettled state of the countries in which the mines are situated, still there is abundant reason for concluding that the source itself is approaching to exhaustion. From this curious document we make the following abstract:—From 1790 to 1809, the mines of Mexico yielded gold to the value of £4,523,378, silver £94,429,303; those of Panama, gold £223,518, silver ——; Chili, gold £863,974, silver £944,736; Buenos Ayres, gold £1,862,955, silver £19,286,830. From 1810 to 1821, Mexico yielded gold £1,913,075, silver £45,388,729; Panama, gold £23,603, silver ——; Chili, gold £1,904,514, silver £878,188; Buenos Ayres, gold £2,161,940, silver £7,895,842; Russia, gold £3,703,743, silver £1,502,981. The returns from Monte Video are too vague to lead to any safe results. The comparative increase or decrease in periods of ten years is as follows:—Mexico from 1790 to 1799 and 1800 to 1809, in gold an increase of 16 1-10th, in silver a decrease of 2 2-5ths, on the whole a decrease of 1 3 5ths, as compared with the first period; from 1810 to 1819, in gold a decrease of 30, of silver a decrease of 48 3 5ths, on the whole a decrease of 47 4 5ths as compared with the first period; from 1820 to 1829, in gold a decrease of 78 7-10ths, silver a decrease of 56 2-5ths, on the whole a decrease of 57 2-5ths as compared with the first period. Panama from 1790 to 1799 and 1800 to 1809, in gold a decrease of 11 7-10ths as compared with the first period; from 1810 to 1819, a decrease of 93 3-10ths; 1820 to 1829, a decrease of 86 4 5ths. Chili from 1790 to 1799 and 1800 to 1809, in gold an increase of 65 4-5ths, silver a decrease of 31, on the whole an increase of 4 3-5ths, 1810 to 1819 in gold an increase of 339½, silver an increase of 30 4-5ths, on the whole an increase of 148 3-5ths; 1820 to 1829, in gold an increase of 55 2 5ths, silver a decrease of 81 3 10ths, on the whole a decrease of 31 9-60ths. Buenos Ayres 1790 to 1799 and 1800 to 1809, in gold an increase of 45 4-5ths, silver a decrease of 23 4-5ths, on the whole a decrease of 19 1-5th; 1809 to 1819, in gold an increase of 42 3 5ths, silver a decrease of 51, on the whole a decrease of 51¼; 1820 to 1829, in gold an increase of 42 3-5ths, silver a decrease of 70, on the whole a decrease of 62 3-5ths. From 1820 to 1829 Russia produced in gold £3,703,743, in silver £1,502,981. On the produce of the whole of these mines therefore from 1790 to 1799, and from 1800 to 1809, there has been, as compared with the first period, in gold an increase of 26 4-5ths, silver a decrease of 6 3 5ths, on the whole a decrease of 4 4-5ths; from 1810 to 1819, in gold an increase of 20 2-5ths, silver a decrease of 45 4-5ths; and from 1820 to 1829, in gold an increase of 74 3-5ths, silver a decrease of 56 3-5ths, and on the whole a decrease of 49 7-10ths.

## WEST INDIA SLAVERY.

The following is the petition of the planters, merchants and others concerned in the West India colonies, to the king of England.

"We, your majesty's most dutiful and loyal subjects, being planters, merchants, mortgagees and others interested in the W. India colonies, approach your majesty in this period of our alarm and dismay, with a full confidence in your majesty's paternal feelings, which ensure the extension of your gracious protection equally to all your subjects—the weak as well as the powerful.

"We are threatened, through resolutions already proposed to parliament by one of your majestiy's principal secretaries of state, with no less, in our opinion, than the confiscation of our property—our title in our slaves, secured to us in every possible manner by legislative and legal authority, being proposed to be forcibly taken from us.

"The effects of this measure will be to preclude the owners from all possibility of beneficial cultivation of their estates. It will reduce them from a state of competence to one of destitution.

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"It will ruin such of us as, in our character of British merchants, have, under the faith of the guarantee of various acts of the British parliament, invested our fortunes—our entire dependence for the support of our wives and children—on mortgages of this very property. It is not more certainly, though more obviously, fatal to such of us, not a few in number, as are annuitants or claimants upon slaves only.

"We humbly submit to your most gracious majesty that injustice such as this, powerless as your petitioners are in comparison with their enemies, can never be sanctioned by the father of his people, through your majesty's giving your royal assent to a measure having such effects: unless the same shall be accompanied by an adequate compensation to all interested therein. We venture to represent to your majesty, that if the state, in the presumed exercise of a high moral duty, considers that the property of the West India proprietors in their slaves interferes with a national object, it has a clear course, as in all cases where the property of individuals so interferes, by offering to them a fair compensation for its surrender.

"We humbly assure your majesty that we shall not attempt to interpose unnecessary obstacles to such an object: but we claim your majesty's protection against any measures tending to deprive us of our positive and undeniable rights of property, which shall not have been matured with an equitable consideration of such rights, and have obtained our concurrence.

"We approach your majesty with increased confidence, feeling that we are laying our grievances not only before a benevolent and patriotic sovereign, but before the only one of our kings who has himself witnessed the enthusiastic loyalty and devotion of his subjects of the West India colonies, and is, of his own personal knowledge, aware of the calumnies and misrepresentations to which they have been exposed.

"Under these circumstances we lay ourselves at your majesty's feet, and humbly pray that you will not, by the exercise of your majesty's royal prerogative, sanction or authorise any act which shall be destructive of our rights of property, so repeatedly and so solemnly recognised by your royal predecessors, and the parliament of Great Britain, unless a fund should be previously provided for fair and sufficient compensation."

## AXE FACTORIES AT NEW HAVEN.

*From the New York Mercantile Advertiser and Advocate.*

PRESENT TO THE PRESIDENT OF THE UNITED STATES. We know not when we have been more gratified than on the inspection of twelve wood axes, presented to the president of the United States, while visiting the manufactory at which they were made, at New Haven, Connecticut.

These axes weigh from 6¼ to 7¼ lbs. each, and were made by twelve different workmen, eleven of them being the first essay, only one out of the twelve having failed to complete his axe on the first trial. These specimens of the great perfection to which working in iron and steel has arrived in this country, were examined in our office by many persons who called in, and all admitted them to be of the most complete and splendid finish; their blades being polished as bright as silver, and each containing 1½ lbs. of steel; on a very close inspection not a flaw of any sort could be discovered. They are handsomely packed in a neatly made and highly polished *hickory* box, and will be exhibited at the Merchant's Exchange for a day or two, being on their way to Washington.

They were made at the manufactory of Alex. Harrison, esq. who now averages one hundred and fifty per day, and can with his present arrangements extend the daily product to 200. He usually makes his axes to contain but one pound of steel, that quantity being considered sufficient generally; any quantity, however, can be used, to order. The building used for this manufacture is 150 by 50 feet; the yard enclosure, for containing coal, iron and other materials, 200 by 130 feet. A steam engine of 20 horse power is used, which consumes one ton of Lackawana coal per day, one ton of the same is consumed in the forges; fifty hands are employed; five grindstones of one and a half to two tons each are kept in constant motion, as well as two smaller ones for finishing. All hands in the establishment are remarkably healthy, no inconvenience whatever arising to the grinders.

How cheering it is to find that the useful arts are advancing to such a high state of perfection among us, consuming our raw materials, employing our citizens, furnishing employment to our farmers to feed them, our mechanics to clothe them, and our miners to keep them supplied with coal and iron.

Cold indeed must be the feelings of that American, who does not experience a pride as he reads the accounts which tell us of the rapid strides we are making in the supply of very many of our wants, at reasonable prices, by the employment of our own people, who are living comfortably and happily under a provident government; every industrious man enjoying his political, civil and religious freedom, and maintaining his rank in society.

It is in this latter glorious fact, that is seen the real and true advantage of our republican institutions. It is here, in the country of Washington, that the sublime scriptural truth, that the "laborer is worthy of his hire" is truly exhibited. Long may this state of things continue to exist. It is the number of honest, industrious mechanics, farmers, and other working men, that are the real substance of the country. In vain would Providence have blessed us with inexhaustible mines of the richest ore and beds of coal—in vain would our streams furnish the musical waterfall—in vain would rail roads and canals be constructed, were it not for the sweat which moistens the brow of our hardy and industrious yeomanry, who are kept employed by the capital and enterprise of those who have, under the same wise institutions, accumulated a sufficiency to embark in establishments such as that of Mr. Harrison, which has now been in operation only six months.

New Haven is famous for the manufacture of axes, Messrs. Collins & Co. of the same place, having one on a much larger scale and equal celebrity. We understand the president was highly gratified with the present of these axes, and wrote a very handsome letter of acknowlegment on their receipt. With a commerce that whitens every sea, colleges and universities in countless numbers, smiling fields of the richest verdure, and golden harvest with boundless stores; with facilities of interchange increasing daily, and a people industriously employed—in fine, with every other blessing, this great country wants nothing but a steady pursuit of its best interests, and thankful hearts to a kind Providence, to realise the most sanguine wishes of the purest patriotism, and to continue to the remotest ages the home of liberty and the asylum of peace.

## RELEASE OF THE MISSIONARIES.

The release of Messrs. Worcester and Butler is one of the leading *electioneering* topics in Georgia—and the friends of governor *Lumpkin*—to defend him—have caused the publication of the following papers—a proceeding which does not appear to have been anticipated by the authors of them—for it is expressly stated that their views were "communicated only to yourself"—that is, gov. L. who has not been pleased to regard them as confidential. The proceeding will be esteemed an *extraordinary* one; but we shall not make any present comments upon it.

STATE OF NEW YORK, ALBANY, DEC. 18, 1832.

*His excellency Wilson Lumpkin, gov. of the state of Georgia.*

DEAR SIR: We beg leave to address you upon a subject with which, we confess, we have no right to interfere, and in reference to which your feelings must, long ere this time, have been sufficiently harrassed. We refer to the refractory missionaries now confined in the penitentiary of your state, in pursuance of a sentence of the court of your state, and upon conviction for a deliberate and unjustifiable violation of the laws of your state.

It is not our object to enter either into an examination of the facts of their case, or into a discussion of the law which governs it, but to make to you friendly suggestions, proceeding from the best of motives, and which, being communicated only to yourself, can do no harm, if they do no good. Still it is proper, that we should precede these suggestions with such our clearly entertained opinions, in relation to the intrinsic merits of the impending controversy as may satisfy you that we are not now, as we at no previous period have been, ranged upon the side of those who arraign the conduct of Georgia, impugn the motives of her legislators and other public officers, or question the soundness of the principle she has assumed, that no independent sovereignty can exist within her limits, and that her laws within those limits, subject only to the laws and treaties of the United States, must prevail and be enforced; and that we may not be misunderstood, we further distinctly say that we do not consider the treaties made between the government and the Indians as partaking, in any degree in a national sense, of the character of treaties with independent nations, but rather hold them as contracts or articles of agreement, subject in all cases to the constitution of the United States and the laws of congress; and we consider it inconsistent, wholly and absolutely inconsistent with that provision of the constitution, which guarantees to all the states of this confederacy a republican form of government, that the president and senate should have the power to make a treaty which should constitute or recognise an independent sovereignty within one of these states. You will not understand us as admitting, or even for one moment supposing, that this has been either done or attempted by those authorities; but we are thus explicit, that no doubt as to our opinions may weaken the force of the suggestions we are about to make.

Thus much being said as to the impressions we entertain in relation to the law and the right of the case, we now speak as politicians. From the unpleasant agitations which, at the present time, are convulsing, in an unusual manner and to an unusual extent, another of the independent states of the union, we feel the deepest interest that all danger of conflict between the authorities of Georgia and any of the authorities of the general government should be put at rest. This, we believe, may be done by the pardon of those misguided men. Our reasons for this belief grow out of the late election. No subject was more fully submitted to the people, pending that contest, than the course of the administration in relation to the Indians and the opinions entertained by the president, which opinions, it was well known, would be carried out in practice, in case of his reelection: and we feel safe in saying, that no question involved in the canvass was labored so assiduously and so ingeniously on the part of his opponents. Still the result has overwhelmed them with astonishment and shame, if not with conviction of their errors. That same result has furnished your patriotic state with a judgment in her favor, paramount to all others under this government, the clearly expressed judgment of the American people.

Under these circumstances, we cannot but believe that the exhibition of magnanimity on the part of the state, by the par-

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don of the imprisoned missionaries, would have the most happy effect upon the public mind of the whole union, while it would take away the ground of pending litigation which desperate men may try to push to an unpleasant result; and we venture to ask this exercise of the important prerogative resting in your hands, because we are convinced that your patriotic fellow citizens would, after the events which have transpired within the last few weeks, sustain you in the act, for the sake of the state itself. We are sure they would do so for the quiet and peace of the union.

Excuse us for this unauthorised intrusion upon your notice and your official duties; and believe us, with the highest respect, your obedient servants,

SILAS WRIGHT, jr.
A. C. LAGG,
JOHN A. DIX.

*His excellency Wilson Lumpkin, governor of the state of Georgia.*

The undersigned citizens of the state of New York, having bestowed much attention on the proceedings in the case of Samuel A. Worcester and Elizur Butler, and viewing those proceedings as likely to affect the welfare of the other states and the whole union, feel it their duty to submit to your consideration the result of their reflections on the subject. As this expression of their opinions and wishes, springs from no feelings adverse to Georgia, but on the contrary is promoted solely by a regard to what they sincerely believe to be the true interest of all parties, they flatter themselves you will not deem it either obtrusive or improper.

Permit us then to state that under all existing circumstances, we deem it a matter of great moment, that the prisoners referred to, should be set at liberty, without delay, which as we suppose, can only be done by discharging them under a pardon emanating from the state authority—and such a pardon we earnestly recommend.

The result of the recent election must render it apparent, that the removal of the Cherokees is deemed expedient by the nation; and under this impression, the undersigned are of opinion that very many persons, who have hitherto counteracted their removal, will now deem it their duty to co operate in bringing it about; and they have reason to believe and confidently hope, that an influence will be applied to reconcile the tribe to such a result, by those very persons who have hitherto labored to prevent it.

Under such a change of circumstances, the undersigned cannot see any possible advantage in the further confinement of the missionaries. On the contrary they conceive that since it is apparent that the Indians must be removed, the release of the missionaries may be of use in reconciling the Indians to that measure. For we cannot believe after what has taken place, that the missionaries, any more than ourselves, can doubt the expediency of acquiescing in the policy of the general government, sustained, as it seems to have been, by the decision of the American people. In the present state of this question, and of our public affairs, every cause of irritation should be removed as speedily as possible, and as we sincerely believe that it is in your power by adopting the course suggested, to render an immense service to the nation, without injuring in the least the interests of your own state, we most respectfully solicit to the subject your early and favorable consideration.

We are, with sincere respect, your most obedient servants.

| | |
|---|---|
| Eliphalet Nott, | W. C. Marcy, |
| R. Hyde Walworth, | Greene C. Bronson, |
| Simeon Dewitt, | B. T. Welch, |
| B. F. Butler, | S. Van Rensselaer, |
| David Sutherland, | John Savage, |
| Ab. Van Vechten, | John Ludlow, |
| William B. Sprague, | J. W. Campbell, |
| William Lockhead, | Isaac Ferris, |
| | H. Bleecker. |

*Albany, December 17, 1832.*

## LATE TOUR OF THE PRESIDENT.

While the president of the United States was on his late eastern tour, we cut out and laid aside a multitude of accounts of the proceedings had at different places, in a supposition that much matter for *record* would be gleaned from them; for this purpose we have overhauled the mass, and are compelled to express some surprise at the poverty of its contents, and sameness and tameness of the incidents mentioned. There is enough, however, of the ridiculous and rude.

The following are some of the few articles which we think should be added to the record:

Among the various and numerous anecdotes related in connexion with the journeyings of the president, we have noticed no one more pleasing than this from the Providence Journal.

The venerable Moses Brown called upon the president, at his lodgings, and was ushered into a parlor on the lower floor. The president came down to receive him, and was addressed as follows: "Friend Jackson, having been acquainted with thy predecessors, I thought I would call upon thee." To which the president replied, that "he was happy to meet a man so venerable in years, in the possession of all his faculties, and hoped that God would continue to bless him." Mr. Brown expressed a desire that he might visit the Friends' school, before he should leave the city, which he accordingly did in the afternoon, where he again met the venerable patriarch, whom, on taking leave, he addressed in the following terms: "Mr. Brown, I have examined your institution, and find no imperfection in it—God bless you, sir." To which the sage of almost a century replied, "I wish thee a safe return to thy home—the Lord bless thee."

*Address of governor Lincoln to the president.*

The following is the address of governor Lincoln, of Massachusetts, to the president of the United States, in the hall of representatives, in Boston:

*Mr. President*—The legislature of the commonwealth of Massachusetts, representing sentiments and feelings of their constituents, learnt, with great satisfaction, during their recent session, your intention to visit this section of the union. Aware that the time proposed for your journey would not allow to the members the desired gratification of personally presenting to you their respectful salutations, by a concurrent and unanimous vote of both branches, the honor of tendering to you the congratulations of the government, upon your arrival in the capital, and the hospitalities of the state, during your continuance in it, was specially assigned to the executive.

This office, it is most grateful to me, to be permitted to discharge. And I have now the happiness, within these halls, where the resolution of the legislature was adopted, and in the presence of this assembled multitude of your fellow citizens, *in the name of the government and people of the state*, to bid you WELCOME TO MASSACHUSETTS!

Welcome, sir, most cordially welcome to all of interest, which can here be offered, worthy your attention and enjoyment!

We desire to present to you, as the chief *magistrate of the nation*, the evidences of the prosperity of this portion of a common country, over which, by the free suffrages of your fellow citizens you have for a second time, been called to preside.

We would point to our *agricultural* resources, and to the condition of an enlightened and independent *yeomanry*, the proprietors and cultivators of a rugged yet productive soil, which is alike, the occasion and the reward of a virtuous and untiring industry.

We would exhibit the amazing result of the progress of that spirit of enterprise and improvement in *manufactures* and the *arts*, which has filled every valley with busy population, and made every waterfall subservient to the devices of human skill and ingenuity.

We would invite you at the same time to observe, in our city and commercial towns, how that trade flourishes, in the connexion of domestic product with home consumption, and the exchange of the fabrics of the workshop for the raw material, which is the growth of every clime.

And more especially, would we commend to your notice our public institutions, the schools and seminaries of learning, those noble monuments of our fathers' wisdom, and patriotism, and piety; and the hospitals, and charitable asylums for the relief of the destitute and the afflicted, the beneficent provisions of more recent time.

We speak not of these things in the pride of local vanity. They are the legitimate fruits of our happy republican form of government, a government, in the establishment of which we rejoice to recognize the active agency of your early years, and to the support of which you have signally contributed, in various important stations in maturer life. They spring, as do all our political and civil enjoyments from that *national sovereignty* and *independence* which you have so valiantly defended, when assailed by foreign foes, and that *union under the constitution*, which, with equal patriotism and glory, you no less triumphantly asserted, on a late memorable occasion, against *internal disaffection and disloyalty*!

May this visit, undertaken for the purpose of becoming better acquainted, from personal observation, with the interests and sentiments of the people, confirm those patriotic views, which you have expressed, of the mutual dependence of each section of the country upon every other, for the continuance of the prosperity of the whole. And may it be your happiness, as it has been that of your illustrious predecessors, when the labors and responsibilities of the highest station of earthly distinction shall be laid aside, to enjoy in the tranquillity and dignity of venerated age, the cherished respect of a nation of freemen, benefitted by your public life, and grateful for your many services.

*Mayor's office (New York) June 13, 1833.*

The mayor has received from the British consul, sixty dollars—from M. Van Schaick, esq. one hundred and sixty-eight dollars—from Washington Irving, esq. one hundred and ninety-eight 25 100 dollars, making $426 25—being the sum of the contributions from the president's suite and the company on board the North America, on Wednesday last, for the benefit of the unfortunate man who was injured in firing the salute on board the revenue cutter.

The mayor has received this day, the following letter, with its contents, for the foregoing object.

*New York, June 13, 1833.*

DEAR SIR—Understanding that you have under your direction, the funds raised by subscription for the relief of the unfortunate seaman who lost his hands while assisting in firing the salute to the president as he approached the city yesterday, I hereby enclose to you, in conformity with instructions from the president, the sum of fifty dollars, which he requests you will apply to the same object. Your obedient servant,

A. J. DONELSON.

*Washington Irving, esq.*

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[A similar letter, and enclosing also fifty dollars, was sent to Kirk Boot, esq. at Lowell, by order of the president, for the relief of two persons who were also mangled, when employed in firing a salute.]

*Presentation of a bible.*

While the president was at Hartford, Messrs. Andrus & Judd, presented him with a copy of their stereotype edition of the bible, elegantly bound. The president returned his acknowledgments for the present in the following terms:

*Hartford, June 17th* 1833.

GENTLEMEN—I return you my thanks for the sacred volume you have presented to me, and for the personal kindness you have expressed. I fervently unite with you in your prayer for our beloved country, and I supplicate Providence to incline the hearts of all our citizens to keep its holy law—to realise the inestimable blessings we enjoy—and to become as distinguished for genuine piety among the nations of the earth, as they are for the high favors, national and political, which have been vouchsafed to them.

For myself, gentlemen, I humbly rely upon the blessing of God to guide me in the performance of the high duties which my countrymen have assigned to me—commending all with all their requests to his care, and not doubting, as he led our fathers to acquire the independence we enjoy, he will lead our sons in his own good way to defend and maintain it.

I am very respectfully, your obedient servant,

ANDREW JACKSON.

*Messrs. Andrus & Judd.*

*The president and the grand lodge.*

The Boston papers contain the proceedings of the grand lodge of Massachusetts in reference to the visit of president Jackson to that city. It appears that as soon as the president arrived in Boston, the grand lodge was called together, and a resolution passed appointing a committee to wait upon him, and, in the name of the lodge, to "tender to him the congratulations of the fraternity in that jurisdiction—to express their deep and grateful sense of the firm, discreet and honorable manner in which he has sustained his masonic relations during a period which the enemies of the institution have rendered somewhat embarrassing to brethren in conspicuous public stations—to assure him of their hearty good wishes and prayers for his future health, prosperity and happiness, and to invite him to honor the grand lodge with a visit on the evening of the 24th of the month, at a special communication to be called for that purpose."

In reply to the invitation, the president said he was unable to visit the lodge on the 24th; but if another time could be selected, he would take pleasure in making the visit. The time was accordingly changed, and the grand lodge and invited brethren, to the number of between three and four hundred, were accordingly assembled, at an early hour, for the purpose of paying their respects to their distinguished brother. About 8 o'clock, the committee appointed to escort the president to the hall came into the grand lodge, accompanied by the hon. Joel R. Poinsett, (one of the president's suite), and presented the grand master the following letter:

*Boston, June* 23, 1833.

BRETHREN: I anticipated the pleasure of waiting upon the grand lodge of Massachusetts this evening, and of tendering to them in person my thanks for the cordial terms in which they were pleased to notice my arrival within their jurisdiction; but finding myself a good deal fatigued after the labors of the day, I must ask their indulgence, and beg them to accept in this form the assurance that I justly appreciate their kindness and good will, and trust that their interests, as an institution calculated to benefit mankind, may continue to prosper. I am, very respectfully, your obedient servant, ANDREW JACKSON.

*R. W. Benja. Russell, Francis J. Oliver*, and others, committee of the grand lodge of Massachusetts.

After the letter was read, the hon. brother Poinsett addressed the grand master as follows:

"*Worshipful brother:* The president of the United States charged me to express to the brethren of the grand lodge of Massachusetts his sincere regret at being prevented, by indisposition, from accepting their invitation to meet them in the temple, and from tendering them in person his acknowledgments for their attentions. He begged me to assure them that he shall ever feel a lively interest in the welfare of an institution with which he has been so long connected, and whose objects are purely philanthropic; and he instructed me to express to them the high esteem and fraternal regard which he cherishes towards them all."

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We shall close our selections for the present, by recording the following remarks of the editor of the "Richmond Enquirer:"

We have never had any very great *penchant for presidential tours* throughout the country. We were not very much delighted with the descriptions we have read of president Washington's tour—and the excursion of Mr Monroe, during his first term of service, was sufficient to satiate and sicken us. We never witnessed any good which it produced in the measures of his administration. And we expressed at the time the disgust, which many of the attentions he received were so well calculated to inspire in the mind of a republican. They were more like the homage of subjects to their ruler, than of a free people towards their first magistrate. They partook more of the pomp of monarchy—than of the simplicity of the republic.

For our own parts, we would much rather that Andrew Jackson had remained at Washington, or visited the Hermitage, than have gone upon such an excursion as the present. He cannot indulge the simplicity of his own character; nor absolutely regulate the manners of others by his own taste. He cannot repress the excessive attentions which will be paid to him, or the sycophantic panegyrics, and the overloaded puffs, of some of the newspapers. We have already seen the most ridiculous anecdotes told—things which would be scarcely tolerable in the acting—about ladies, and girls, and private parties, and select coteries—but the repetition and the flaunting of them in the newspapers, are in the vilest taste! We beg our brethren of the north to avoid all such examples: "they are more honored in the breach, than in the observance." Yet amid all these superfluous, and many of them silly, descriptions, we cannot fail to perceive that the president has been received with a cordiality of kindness, and a sincerity of respect, which bespeak the great popularity of the man and his administration.

☞There is some "excitement," in several places, because of the expenses incurred on account of the president's visit. In New York they are reported to have amounted to from seven to nine thousand dollars—at New Haven, the tavern bill is put down at $500, &c. We do not admire such exposures. They are probably the effect of the "exclusiveness" which we have several times mentioned, or the contests of "rival chiefs"—some of whom were not well pleased!

## MR. WEBSTER AT PITTSBURGH.

*From the Pittsburgh Gazette, of July 9.*

DANIEL WEBSTER.

As already stated, this distinguished statesman reached town on Thursday afternoon last, under the escort of the mayor and a numerous cavalcade. The exchange hotel, at which he took up his quarters, has been througed ever since by crowds of eager visiters, without regard to party, anxious to see and testify respect to him whom all unite in regarding as an intellectual giant, on whom the constitution itself did not disdain to lean at a moment of imminent peril. Agreeably to previous arrangements, he was waited on by a committee of forty of our most respectable citizens, to welcome him to Pittsburgh, to proffer facilities for seeing to advantage whatever he might deem worthy of examination, and to invite him to a public dinner. This last testimonial of respect was declined, for reasons, in the force of which the committee acquiesced. Mr. Webster intimated strongly in conversation, as we learn, that his great object was to see as much as possible, during his limited stay, of the west, of the people and the country, in a plain way—and that a public dinner, with its forms, etiquette and necessary limit, seemed calculated to restrain and obstruct, rather than to facilitate, the free and unceremonious kind of intercourse which he desired. The following is a copy of his written reply:

*Pittsburgh, July 5th*, 1833.

GENTLEMEN—I hardly know how to express my thanks for the hospitable and cordial welcome with which the citizens of Pittsburgh are disposed to receive me, on this my first visit to their place. The terms in which you express their sentiments in your letter of yesterday, far transcend all merits of mine, and can have their origin only in spontaneous kindness and and good feeling. I tender to you, gentlemen, and to the meeting which you represent, my warmest acknowledgments. I rejoice, sincerely, to find the health of the city so satisfactory; and I reciprocate with all the people of Pittsburgh, the most sincere and hearty good wishes for their prosperity and happiness. Long may their city continue what it now is, an abode of comfort and hospitality, a refuge for the well deserving from all nations, a model of industry, and an honor to the country.

It is my purpose, gentlemen, to stay a day or two among you, to see such of your manufactories and public institutions, as it may be in my power to visit. I most respectfully pray leave to decline a public dinner, but shall have great pleasure in meeting such of your fellow citizens as may desire it, in the most friendly and unceremonious manner. I am, gentlemen, with very true regard, yours, DANIEL WEBSTER.

To *hon. James Ross and others, gentlemen of the committee.*

In deference to Mr. Webster's wishes, the idea of a formal dinner was abandoned; but as the anxiety seemed intense for some collective expression of public admiration, it was decided to invite him to meet our citizens at the spacious grove of Mr. Miltenberger, on Monday afternoon at 4 o'clock. The change of plan was judicious, and the scene a truly gratifying one. Refreshments of a plain kind were spread around, under the charge of the committee; but the tables could serve only as a *nucleus* to the vast multitude. Mr. *Webster* moved freely about the beautiful grounds, recognizing his numerous visiters of the preceding days, who were led, by the frank and engaging cordiality of his manners, to become, in turn, the introducers of such as had not before enjoyed the pleasure of taking him by the hand. His honor, the mayor, at length called to order, and addressed the company pretty much as follows:

"I have to ask, gentlemen, your attention for a few moments.

"We are met here to mark our sense of the extraordinary merits of a distinguished statesman, and public benefactor. At his particular request, every thing like parade or ceremonial has been waived; and, in consequence, he has been the better enabled to receive, and to reciprocate, the hearty and sponta-

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neous expression of your good will. I am now desired to attempt, in your name, to give utterance to the universal feeling around me.

"*Gentlemen*—We are this day citizens of the *United* States. The union is safe. Not a star has fallen from that proud banner around which our affections have so long rallied. And when, with this delightful assurance, we cast our eyes back upon the eventful history of the last year—when we recal the gloomy apprehensions, and perhaps hopeless despondency, which came over us—who, gentlemen, can learn, without a glow of enthusiasm, that the great champion of the constitution—that DANIEL WEBSTER—is now in the midst of us. To his mighty intellect, the nation, with one voice, confided its cause—of life or death. Shall there be withheld from the trumphant advocate of the nation, a nation's gratitude? Ours, gentlemen, is a government not of force but of opinion. The *reason* of the people must be satisfied before a call to arms. The mass of our peaceful and conscientious citizens cannot, and ought not—except in a clear case—to be urged to abandon the implements of industry for the sword and the bayonet.—This consideration it is, that imparts to intellectual pre-eminence in the service of truth, its incalculable value. And hence the preciousness of that admirable and unanswerable exposition which has put down, once and forever, the artful sophisms of nullification.

"If, gentlemen, we turn to other portions of the public history of our distinguished guest, it will be found, that his claims to grateful acknowledgment, are not less imposing. The cause of domestic industry, of internal improvement, of education, of whatever, in short, is calculated to render us a prosperous, united and happy people—has found in him a watchful and efficient advocate. Nor is it the least of his merits, that, to our gallant *navy* Mr. Webster has been an early, far-sighted, and persevering friend. Our interior position cannot render us cold and unobservant on this point, whilst the victory of Perry yet supplies to us a proud and inspiring anniversary. And such is the wonderful chain of mutual dependence which binds our union, that, in the remotest corner of the west, the exchangeable value of every product must depend on the security with which the ocean can be traversed.

"Gentlemen, I have detained you too long; yet I will add one word. I do but echo the language of the throngs that have crowded round Mr. Webster, in declaring, that the frank and manly simplicity of his character and manners, has created a feeling of personal regard which no mere intellectual ascendancy, could have secured. We approached him with admiration for the achievements of his public career—never supposing, for a moment, that our hearts could have aught to do in the matter; we shall part, as from a valued friend, the recollections of whose virtues cannot pass away."

To which Mr. *Webster* replied.*

*Mr. Mayor and gentlemen*—

I rise fellow citizens, with unaffected sensibility, to give you my thanks for the hospitable manner in which you have been kind enough to receive me, on this, my first visit to Pittsburgh; and to make all due acknowledgments to your worthy mayor, for the sentiments which he has now seen fit to express.

Although, gentlemen, it has been my fortune to be personally acquainted with very few of you, I feel, at this moment, that we are not strangers. We are fellow countrymen; fellow citizens; bound together by a thousand ties of interest, of sympathy, of duty; united, I hope I may add, by bonds of mutual regard. We are bound together, for good or for evil, in our great political interests. I know that I am addressing Americans, every one of whom has a true American heart in his bosom; and I feel that I have also an American heart in my bosom. I address you, then, gentlemen, with the same fervent good wishes for your happiness—the same brotherly affection—and the same tokens of regard and esteem, as if, instead of being upon the borders of the Ohio, I stood by the Connecticut or the Merrimack. As citizens, countrymen, and neighbors, I give you my hearty good wishes, and thank you, over and over again, for your abundant hospitality.

Gentlemen, the mayor has been pleased to advert, in terms beyond all expectation, or merit of my own, to my services in defence of the glorious constitution under which we live, and which makes you and me, all that we are, and all that we desire to be. He has vastly overrated and exaggerated any efforts of mine, but he has not overrated the importance of the crisis to which his remarks allude.

Gentlemen, it is but a few short months since dark and portentous clouds *did* hang over our heavens, and *did* shut out, as it were, the sun in his glory. A new crisis had arisen in the history of this government. For forty years our government had gone on, meeting with occasional resistance, incidental, or ill directed—not concerted. But now, a time had come, when authority of law was resisted by the authority of law—when the power of our general government was resisted by the arm of a state government, and when military force, under all the sanctions of state constitution and state law, was threatening to impede the operations of the federal government! That was, gentlemen, a crisis. Every one felt it to be such. I, and every good citizen of the country, felt it to be such. A general anxiety pervaded the breasts of all who partook of the glory of their country at home—and how was it abroad? Why, every intelligent friend of human liberty throughout the world, looked with amazement at the spectacle which was exhibited. In a day of unquestioned prosperity, after half a century's happy experiment—when we were the wonder of all the *liberal* men in the world, and the envy of all the *illiberal*—when we had shown ourselves to be fast advancing to national renown—what was threatened? Disunion! There were those among us, who wished to break up the government, and scatter the four and twenty states, into four and twenty sections and fragments!

Gentlemen, it was at this moment, that the president of the United States, true to every duty—comprehending and fully understanding the case, came forth, by his proclamation of the 10th of December, in language which inspired in me new hopes of the duration of the republic. It was patriotic, and worthy to be carried through at every hazard. Gentlemen, I speak without reserve upon this subject, I have differed with the president, as all know, who know any thing of so humble an individual as myself, upon many important subjects. In relation to internal improvements—rechartering the United States bank—perhaps, in the degree of domestic protection, and the disposition of our public lands, I have been not able to see the interests of my country in the way which he did. But when the crisis arrived in which our constitution was in danger, and when he came forth like a patriotic chief magistrate, I, for one, taking no council but of patriotism—feeling no impulse, but the impulse of duty—felt myself bound to yield, not a lame and hesitating, but a cordial and efficient support to his measures.

Gentlemen, I hope that the result of that experiment may prove salutary in its consequences, to our government, and to the interests of the community. I hope that this signal expression of public opinion, which has for the time put down the despotism of nullification, may produce a lasting effect throughout our whole country. I know full well, that popular topics may be urged against the proclamation. I know it may be said, in regard to the law of the last session of congress, that if such laws are to be maintained, congress may pass what laws they please, and enforce them. But this argument forgets, that members of congress are but the agents of the people, chosen at short intervals, and always removable at pleasure, by the people, whose servants in the national legislature, are as much subservient, and as willingly obedient, as any other of their servants. It is easy for those who wish, and who pursue, measures calculated to break up the union, to raise the cry of consolidation. But I repel it. I am no consolidationist—I disclaim it. I wish to preserve the constitution, without addition or diminution of one jot or tittle. For the same reason that I would not add, I would not withdraw. Those who have placed me in a public station, placed me there, not to alter the constitution, but to administer it. If a change be desired, our masters must make that change—if alterations are required, you, and the rest of your fellow citizens must make the change. The constitution is our power of attorney—our letter of credit—our credentials—we are to act accordingly, without interpolation or alteration, honestly and truly. The people of the United States—they, and they alone, can tread it under foot, but their servants have no such power.

And what is the ground for this cry of consolidation? I maintain that the measures recommended by the president and adopted by congress, were measures of self defence. Is it consolidation to execute the laws? Is it consolidation to resist the force that is threatening to upturn our government? Is it consolidation to protect officers in the discharge of their duty, from courts and juries, who are previously sworn to decide against them?

Gentlemen, I take occasion to remark, that, after much reflection upon the subject, and after all that has been said about the encroachment of our general government upon the rights of the states, I know of no one power exercised by the general government, which was not admitted by the immediate friends and foes of the constitution to have been conferred upon it, by the people, when that instrument was adopted. I know of no one power which every body did not agree, in 1789, was conferred on the general government. On the contrary, there are several powers, and those, too, among the most important for the interests of the people, which were then allowed to be conferred by the constitution of the United States, which are now ingeniously doubted, or clamorously denied. Gentlemen, upon this point I shall detain you with no further remarks. It does, however, give the most sincere pleasure to say, that, in a long visit through the states west of you, and in the great state north of you, as well as in a tour of some days' duration in the respectable state to which you belong, I find but one sentiment in re-

*The Pittsburgh Gazette informs us that the sketch of Mr. W's speech is furnished by Mr. M. T. C. Gould, stenographer, who was much indisposed while making his notes—and hence the report is less precise and accurate than might have been expected. Adding—"A careful reader will, perhaps, in some places, perceive that the connection of the argument is not quite so close and logical as in the deliverance, and that abrupt transitions sometimes occur. No opportunity was afforded to submit the report to the revision of Mr. Webster. The only material deficiency, however, is in the remarks in relation to education. The reporter lives at a distance from Pittsburgh, and in his haste to forward the report by an opportunity which presented, was compelled to furnish a mere skeleton of a portion of that part of the speech, with a request that the committee of arrangement would fill it up. That committee, however, thought it better to omit it entirely, rather than to supply from memory."

And Mr. Gold himself says—"the state of my health is such, that I have not read the MSS. as I usually do, with reference to the sense and construction of sentences."

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gard to the conduct of the government upon this subject. I know that those who have seen fit to entrust to me, in part, their interests in congress, approve of the measures recommended by the president. We see that he has taken occasion, during the recess of congress, to visit that part of the country; and we know how he has been received. No where have hands been extended with more sincerity of friendship; and for one, gentlemen, I take occasion to say, that, having heard of his return to the seat of government, with health rather debilitated, it is among my most earnest prayers, that Providence may spare his life, and that he may go through with his administration, and come out with as much success and glory as any of his predecessors. [*Great applause.*]

Your worthy chief magistrate has been kind enough to express sentiments favorable to myself, as a friend of domestic industry. What a world of remark does that suggestion open—when standing at the confluence of the two streams that constitute the Ohio, in the midst of a population distinguished for their domestic industry, family comforts—the means of education, and the means of providing for their families by their industry. What is not comprised *here*, in "*the means of protecting domestic industry?*" Next to the constitution itself, there can be no question of more absorbing interest, than the protection of our own domestic manufactures. I do not mean any particular class, but the whole, as comprehended under that system which provides for our wants—that system whose essence, and object, and life it is to administer compensating rewards to American manual labor.

Gentlemen, those of you, who have taken any pains to inquire into the history of that part of the country to which I belong, know, that in the quarter with which I am more immediately connected, the people were not early to urge upon the government protection by high duties. Indeed, candor obliges me to acknowledge, that, when the act of 1824 was passed, neither he who now addresses you, nor those with whom he acted, were ready or willing to take the step which that act proposed. They were not prepared to act; they doubted the *expediency*. It passed, however, by the great and overwhelming influence of this central section of country, New York, Pennsylvania and Ohio. We acquiesced; we yielded to it, adopted it, and gave to our capital and labor, such direction as would enable us to conform to the policy of the country. We have become wedded to it, and identified with it, till I know of no shade of difference between the interests of Pennsylvania and Massachusetts. We shall not yield it without a struggle. Neither shall we yield the principle of protection without a severe struggle, under any circumstances whatever. And who would choose to yield it? Who, standing here, and looking round upon this community and its interests, would be bold enough to touch the spring to so much industry and so much happiness? Who would stop the mouths of those vast coal pits?—arrest the cargoes that are now running down a river, the noblest in the world, and which stretches over the finest territory possessed by any government? Who would quench the fires of so many steam engines? It cannot be done, without great public calamity, and great private distress.

I have said, that I am in favor of protecting American manual labor—and after all that has been said, I have come to the conclusion, that, to leave American manual labor to bear a competition with the unpaid and half fed labor of Europe, would produce a state of things to which our country can never submit. This is the reason why I maintain the policy of the American System. I see in my own country, and I believe it is the same in this, that its stimulus to labor, has been its offering a fair compensation for labor. When I say our country, I mean from Penobscot to New Orleans; for nine-tenths of the whole, belong to the industrious, productive, laborious classes. Dead capital is in but few hands; and this system does not promote the interests of the capitalist one tithe part that it does those of the laborer, the industrious man who oversees, or labors upon, the capital of another. Is it not this great stimulus which now applies itself to our whole society, and sets so many wheels in motion? Is it not the compensating price of labor—is it not, that labor is high and the means of living low? I want no other proof, that God has blessed us with a happy country and generation.

Suppose we compare ourselves with other countries—I see many whom I know to be emigrants from other countries. Why is the native of Ireland among you? Why has he left the land of his fathers? The Emerald Isle is as dear to him as these rivers and hills are to you. Was it not taxation on one hand, and the low price of labor on the other, that induced him to come to a country of free laws, and of boundless extent; where industry has its reward—where the means of living are low, and the price of labor adequate? And do not these remarks apply to emigrants from every part of Europe? Is it not that industry and personal character can do more for a man here, than in any other part of the world?

Our government is the breath of the people's nostrils; they make it, and they appoint agents to administer it. The people are the source of the power of our government; and is it not clear, that it is unsafe to trust the affairs of government in the hands of the people unless the great majority of the people have some interest in the government? Who would be safe in any community when the power is in the hands of those who have nothing at stake? It is the true policy of our government to shield the great body of the people—the productive classes.

Gentlemen, it appears to me so plain a proposition, that the industry of this country ought to be protected, and must be protected, against the pauper labor of England and other parts of Europe, that argument is superfluous. Were it not for trespassing upon your patience, I would state, as a historical truth—for it is beyond all question—that a leading object of establishing the constitution was to devise a system of laws to protect artizans against the cheap pauper labor of Great Britain. In the town in which I live, it is as notorious as the revolution itself.

Soon after the peace of '83, there came on a period of distress over the whole Atlantic coast, far exceeding any thing that had been felt during the war. Importation in British ships was free —American ships there were none. The cheaper labor of England supplied the inhabitants of the Atlantic coast with every thing, from the crown of the head to the sole of the foot. The merchants of Boston appointed a committee, at the head of which was the name ever venerable to the mind of all true Americans, John Hancock, by whom strong resolutions were reported, declaring that the inhabitants would not use any articles imported in British ships. The mechanics of Boston met and recommended the inhabitants not to use British articles *at all.*—[*Great applause.*] "For," said they, "with all regard to you, Mr. Hancock, what odds does it make, whether our shoes, boots, hats, handkerchiefs, or shirts come in British ships, or American ships—they take away our bread, come in what ships they may." This state, the state of Massachusetts, and even the state of Virginia passed laws to protect their own people by impost. But it could not be effectually done. One state would pass a law—another would not—there being no general system, there could be no protection. And it is a historical truth, plain beyond doubt, that our great object, along the Atlantic coast, in adopting the constitution, was that, by establishing a regular and uniform system of imposts, the various artizans and handicrafts might be permitted to earn their bread. There were, at that time, no manufactories in the interior, for there were no inhabitants. Here was fort Pitt—upon the map to be sure—but no people. Among the mechanics—the workers in leather, tin, iron, &c. there was a greater depression and poverty, than there had been during the war. And, I hope you will pardon me for another anecdote which is brought to my recollection. Massachusetts was the ninth state to adopt the constitution. If she adopted it, it would go into effect; but it was matter of great doubt whether she would. The mechanics of Boston met and passed resolutions. They said it was *necessary for them*. They elected delegates to adopt the constitution. Their proceedings were communicated to Samuel Adams. He had doubts—he was a friend of liberty, but he had honest and sincere doubts about the practicability of a general government. Paul Revere, a worker in brass, read to him the resolutions of the mechanics. He was asked how many mechanics passed these resolutions—(the meeting was held at the old Green Dragon)—was the room full? Oh, yes, to overflowing. Were there any in the streets?—Many. How many? More than the stars of heaven. [Laughter and applause.]

It was thus the constitution of the United States was carried. Any gentleman desirous of pushing the historical inquiry, will find that the great and prevailing interest was where there were merchants and mechanics. There was a natural hesitation about the adoption of the constitution; and it was only urged through by the interests to which I have adverted.

Under these circumstances, it cannot be expected that we, of New England, will readily abandon our ground. We are ready to do more work, with less protection, if that will answer—but we yet believe that the power is in the constitution. And I do not believe that it is within my competency to draw my pen across that power; for I have no more power to diminish, than I have to add. And, acting in the situation in which we are placed—as a portion of the great American family—having the same interests as these great and vast central districts—we shall go on, attached to the union, attached to all the great interests of the government, and attached to the constitution.

Your worthy mayor has alluded to the subject of internal improvement. Gentlemen, it has always seemed extremely strange to me, that in the progress of human knowledge and human virtue—for I believe that human virtue is making rapid progress—it has always seemed extremely strange to me, that the objects of government should be limited so much to belligerent operations, that its duties should seem to be considered as referrible so exclusively to wars with other nations. Certainly, in a day of Christianity, in a day of light and knowledge, of benevolent feeling and action, it should be the business of government to turn its attention inward; to remember, that the objects of its supervision are rational, immortal beings; and to seek to promote all great interests, so far as may be within its constitutional power; and, surely, within that range, are objects far more worthy of zeal and assiduity, than such as look to our external relations—to war, or victory, or triumph.

What, in our day, has not been done by voluntary association? Our whole government is a voluntary association. Why should it not direct its attention to those things which look to peace? Upon this subject, I will observe, that when I came into congress, on taking a view of the country, and its interests, and concerns, at the close of the late war, I thought it to be my duty, to say, that a suitable time had come for government to turn its attention inward—to survey this vast country, and particularly this vast western country—to take a comprehensive view of the whole, and to promote the interests of the whole, by the construction of roads, canals and other means of internal communication—to adopt a liberal system of internal improve-

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ment, in whatsoever unites man to man; in whatsoever opens a better market, by clearing the way between the producer and the consumer; in whatsoever connects more intimately the various parts of our country, and binds us closer and closer together. The west, with which I am no more connected than with my fellow citizens, is the great theatre for these internal improvements. The east is old—not only old but small. Our rivers can be measured, yours cannot. Our forests can be surveyed, yours cannot. We are bounded, you are boundless. It has appeared to me, that the west, the fertile, the opening, the soliciting west, was a proper object for the regard of government. To clear the rivers, to improve the harbors upon our lakes, to open roads and canals, to do whatever might unite the people, and bring him who sells and him who buys nearer together, appear to me to be objects worthy of all regard. I claim no particular merit upon this subject—it is from no partiality to the west that I would lend aid to all these objects. My affections know no west—no east—no north—no south. I would comprehend them all in one great and connected whole, and consider it my country.

I see this place, gentlemen, surrounded with circumstances strongly enforcing these truths—you have vast internal improvements—the most prominent of which is your canal, which connects you with the Atlantic ocean: others are projected, not less important than those completed. The Ohio canal, which does so much credit to our young sister of the west, and with which your city needs a direct connection—the Ohio and Baltimore rail road, an arm or branch of which, extending to your city, would be peculiarly beneficial, and which is as much entitled to aid from the general government as the Ohio and Chesapeake canal: with respect to these, and many others, it has always appeared to me, and I make no merit of it, that it is the duty of our government to lend a generous countenance.

One word more, gentlemen, and I have done.

The mayor has spoken of education: and can any man doubt, as a social being, as an immortal being, as a being interested in the world that is—as a being vastly more interested in that which is to be—that education is the great business of man? I take not back one jot or tittle of the expression. Education—the formation of the mind and character, by instruction in knowledge, and instruction in righteousness, is the great end of human being.

Gentlemen, it is most gratifying to witness the attention which has been aroused, not confined to latitude or longitude, upon this subject. In the progress of some five or six weeks in the state west of you, and a part of the time in your own state, I have marked it with delight. The western world—our whole west, is full, beyond all comparison full, of aptitude and claims to instruction. The country is young, and settled with parents who have many children—whose means are not affluent, but who eagerly seek education. The demands are fast increasing, and becoming more and more urgent and imperative.

Under free institutions, literature, knowledge and morals, might well be expected to flourish; but, we are setting the great example which all Europe may look upon with astonishment—that, with popular institutions, and under a system of absolute toleration, we see no indifference to the great cause of *religion*.

We have denied a political sanction to any sect; yet places of worship are seen to spring up in every direction, and of every denomination. Toleration begets no indifference; but zeal, rather than indifference. It is connected with education, with the intellectual and moral culture of the mind; and wheresoever men meet, to worship the God of their fathers, I wish them the means of instruction and the means of adequately conducting the great and good work.

Gentlemen, I have detained you too long.

My friends, my fellow citizens, my countrymen, I must now take a respectful leave of you. I have spent a period of five or six weeks west of the Allegheny, for the first time in my life. It has been a series of happy days. I have seen much which I shall always remember—much to inform, as well as delight me. I return you, again and again, my unfeigned thanks, for the frankness, and kindness, and neighborliness, with which you have made me welcome: and wherever I may go, or wherever I may be, I pray you, my friends, to believe, I shall never lose the recollection of your kindness. May God bless you all.

It is believed that about three thousand persons were present during the delivery of Mr. Webster's speech.

We had laid aside some account of the attentions paid to Mr. Webster at Lancaster, Chillicothe, Steubenville and many other places in Ohio—at Louisville, &c. in Kentucky—at Wheeling and Wellsburg, Virginia—at Bedford, Chambersburg, Gettysburg, &c. in Pennsylvania—but it does not seem necessary that we should record them; but it may be well to insert what follows:

He declined a public dinner at Steubenville—but at a private entertainment in that town gave this toast—

*The state of Ohio*—The abundance of her resources and the fertility of her soil, are only equalled by the hospitality of her citizens—may her influence in the councils of the nation always be as salutary as they must be influential.

The *Frankfort* (Ky.) *Commentator* had these remarks:

The Cincinnati papers inform us that Mr. Webster has left that place for his return to the east. In consequence of the prevalence of the cholera in Kentucky, he declined visiting this state. We speak the feelings of the whole community when we say, that it is a matter of deep regret that *any circumstance* should have prevented the people of Kentucky from having it in their power to testify to Mr. Webster the regard they entertain for him as a citizen and as a statesman. The citizens of Kentucky have looked forward with much eagerness for the period when the great son of New England would visit their state, and see with his own eyes how much there was in this favored land to justify the attachment of her children to it. We wished him to have contrasted our own people with those of his own section, confident that he would have discovered much to admire in us, although it was totally different from that to which he had been accustomed. *We were prepared to welcome him.* But, since it is so ordered, that the fell disease which desolates our land, turning a paradise into a charnel house, has deprived us of this pleasure, we must indulge the hope that when the country is restored to health, he will return again. Cicero, we are told, when he visited the cities of Greece, although under the clouds of political displeasure, was every where in that polished land, greeted as the accomplished orator and skilful civilian. Mr. Webster would have found that in Kentucky he was considered as the compeer of our own great orator—like him an ornament to the bar, the halls of legislation and the national councils; and like him deserving of the respect and attention of every man who took pride in the fame and achievements of his countrymen.

The "National Intelligencer" of July 11 said—

Mr. *Webster* has wrought little less than a miracle upon *party* feuds and divisions in the *western country*. *He has fairly* extinguished the one and obliterated the other. In the last number of the Nashville Banner we find published the letter of invitation to him to visit that city, from which we take the following extract:

"In discharging the pleasing duty thus assigned them by their fellow citizens, the undersigned have much satisfaction in being able to assure you, that should it suit your convenience thus to extend your western tour, you will be most cordially greeted by the citizens of this town and neighborhood, without distinction of party, and that every effort in their power will be cheerfully made to render your visit as agreeable to yourself as they are sure it will be satisfactory to them."

That Mr. Webster should be thus respectfully invited to Nashville by a portion of his western countrymen is not at all surprising. The remarkable feature of the honor thus paid him is the complete political amalgamation perceptible in the following list of the committee by whom the invitation was signed:

| | |
|---|---|
| Wm. Armstrong, | E. S. Hall, |
| Thomas Washington, | John Catron, |
| Felix Grundy, | Ephraim H. Foster, |
| H. M. Rutledge, | And. Hynes, |
| Boyd McNairy, | Ph. Lindsley, |
| H. R. W. Hill, | Francis B. Fogg, |
| John P. Erwin, | John Williams, |
| Robert Woods, | G. W. Gibbs, |
| George Crockett, | W. G. Hunt. |
| H. L. Douglass, | |

We here behold Jackson-men, Clay men, neutrals, and every other class of politicians, harmoniously uniting to pay honor to talents and integrity which they believed to have been employed usefully to *the whole country*. It is a spectacle we delight to look upon. Would that such were oftener seen!

## DISTRICT COURT OF THE UNITED STATES.

*Southern district of New York.*

*The postmaster general of the U. S.* vs. *John L. Clark.* *The same*, vs. *Samuel J. Smith.* } Post office cases.

These were actions of debt brought to recover penalties alleged to be incurred by a violation of the third section of the act of congress passed the 2d of March, 1827. That section is in the following words:

"That no person, other than the postmaster general, or his authorised agents, *shall set up any foot or horse post* for the conveyance of letters and packets, upon any post road, which is or may be established as such by law; and every person who shall offend herein shall incur a penalty of not exceeding fifty dollars, for each letter or packet so carried."

The causes were brought to trial before a jury at the last January term, his honor judge *Betts* presiding. The counsel for the plaintiff, J. A. Hamilton, D. A. offered evidence, showing that the suits were commenced on the information of E. J. Mallet, postmaster at Providence, R. I. That the defendants as partners kept a lottery and exchange office there, and another office in New York, and that they had been for a considerable period of time in the practice of sending their letters, from one office to the other, in a bundle or small leather bag by passengers going back and forth in the steamboats running between Providence and N. York. They were also in the habit of sending with their own letters, free of any charge, the letters of third persons who desired to have them forwarded. Mr. Mallet several times interfered, and insisted on the illegality of the practice, and threatened them with a prosecution unless it was discontinued, and the defendants, not having taken legal advice, agreed to discontinue it.

Being afterwards advised that sending letters in this manner was not unlawful, they again began to send them as before,

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which, being discovered by Mr. Mallet, he directed these suits to be brought, being the first ever brought for the offence alleged. No evidence was offered on the part of the prosecution to prove the offence of "setting up a foot or horse post," except that the defendants had sent letters by passengers going in the steamboats, as before mentioned. This, the counsel for the prosecution contended, was the setting up a foot post within the meaning of the law. To show that the waters between N. York and Providence were a post road, he referred to the act of congress of March 3d, 1823, which declares, "that all waters on which steamboats regularly pass from port to port, shall be considered and established as post roads." He also insisted that sending letters from the defendant's offices to the steamboat wharf by their office clerk, was clearly setting up a foot post on the post road between the two cities, the street to the steamboat being a part of the post road.

*E. Paine*, for the defendants contended that the acts complained of, did not constitute an offence within either the letter or spirit of the act of congress relied on. It was apparent to every one, that the gravamen of the offence complained against, was, not the sending of letters, but the *setting up* a foot or horse *post*. This was the act prohibited, although the penalty was affixed to the letters sent.

It was contended, that to bring the defendant within the *letter* of the law, it must be shown that they had set up a post. That by a post was meant, some person sent expressly, and with some sort of regularity, for the purpose of conveying letters. If he went on foot, he would be a foot post; if on horseback, or in a carriage drawn by horses, he would be a horse post; but in either case, he must go by land. That it was absurd to suppose that a horse or foot post could go by water. The words horse or foot perfixed to the word post, were intended to be descriptive of the mode of conveyance, and could mean nothing else. A person going in a packet to England might as well be called a foot post, as one who went in a steamboat to Providence. Besides, the letters were sent by passengers in the steamboat, going on their own business, and who carried the letters casually. This was not the setting up of a post of any kind. It was indispensable to the character of a post, that the business on which it went should be the carrying of letters. And it was insisted that the words of the law were to be understood in their plain, and obvious sense and not to be strained to create a penalty.

In order to show that the alleged offence was not within the *spirit* of the act of congress, the other post office laws on the same subject, and the obvious policy of their prohibitions were referred to. From these it was evident that the government did not claim the exclusive right to carry all letters, but merely the exclusive right to maintain posts for carrying them. The government post office establishment was derived from the English system of monopolies. In that country, the wants of the government, might preserve it, as a branch of the revenue, in the highest degree of rigor. But in this country no such necessity existed, and it was inconsistent with the spirit of our institutions, to make the post office establishment an infringement upon the liberties of the citizen. All that was necessary was, to prevent establishments of the same character from being set up in opposition to the government establishment. And accordingly all the prohibitions of the various acts of congress were directed to this object, and, this only. None of them were designed to prevent the transmission of letters, however frequently, or in whatever quantities, but to prevent the setting up or growth of such establishments.

The act of March 3d, 1825, repeals all other acts passed for the establishment or regulation of the post office, and is emphatically the post office law. The only prohibitions in this act are the following:—

Section 6. Requires the *master or manager of any steamboat* to deliver the letters brought by him to the postmaster of the place—and also requires every *person employed on board a steamboat* to deliver the letters entrusted to him, to the master or manager.

Section 17. Requires the *master or commander of every ship or vessel* arriving at a port of the U. States, before breaking bulk to deliver all his letters at the post office.

Section 19. Prohibits any *stage or other vehicle* which regularly performs trips on a post road, or road parallel to it from conveying letters; and also prohibits *any packet boat or other vessel* which regularly plies on a water declared to be a post road, from conveying letters, except such as relate to some part of the cargo; and imposes a penalty of fifty dollars on the owner of the carriage, other vehicle or vessel, *or the person who has charge of it*, for its violations.

No subsequent act of congress contains any prohibition except the section above recited under which these suits are brought prohibiting the setting up of a horse or foot post.

It was contended that the uniform and studied forbearance of congress, when legislating about ships, vessels, steamboats, packet boats, and carriages, to prohibit the sending of letters by passengers, or passengers conveying them, and confining the prohibition expressly to the masters and owners, or persons in their employment, was conclusive evidence that they never designed to prevent their being sent by passengers. That the reason of the master, owner and servants being prohibited was obvious. It was to prevent the *conveyances* themselves from becoming rival establishments to those of the post office. It would have been the most natural and easy thing imaginable for congress, when legislating about these conveyances, to have said that no *passenger* going in them should carry letters. As they had not seen fit to do so, it was hardly to be supposed that they had designed to do it, when prohibiting something so apparently different as the setting up of a foot or horse post.

The *court* charged the jury in substance as follows:—

That, if the defendants employed a person to carry letters from New York to Providence regularly, such person was to be deemed a post. That, if such person was employed to go on horseback, he would be a horse post; if on foot, a foot post. But that it was not necessary that a person employed to go on foot, should go all the way by land, to constitute him a foot post: For instance, if he were employed to go from New York to Albany, and should go, to Harlæm on foot and then take a steamboat the rest of the way, he would be a foot post. That the law having, by various previous provisions, prohibited the carrying of letters by steamboats, packets, stages and carriages, undoubtedly designed, by the provision under which these actions were brought, to complete the plan of prohibition by extending it to the conveyance on horseback, or on foot. That it was for the jury to say, whether the acts complained of were a violation of the law, as the court had stated it to them. If not a violation, the acts were undoubtedly an evasion of the law, but these actions should not be sustained for acts which the law did not expressly forbid.

The jury withdrew and returned a verdict for the defendants.

Afterwards, the district attorney moved to set aside that verdict on the grounds of misdirection of the court, that the verdict was against evidence, and on newly discovered evidence. But the court, after argument, denied the motion, as the charge contained no misdirection; the jury had passed upon the evidence submitted to them, and the newly discovered evidence was merely cumulative and was known, or might have been, before the trial to the postmaster at Providence who had directed the suits to be brought. Judgment was therefore rendered for the defendants.

## "IRON CASE"—AT NEW YORK.

The following case was reported for the "Journal of Commerce"—and we give it *in extenso*. It is not necessary, at present, to say more than that the great principle involved in Mr. *Clay's* "bill of compromise," as some have called it, *was grossly violated before it went into operation*, in the repeal of certain *provisos* in the act of 1832, on which that compromise was founded, and *at four o'clock in the morning!*—though these *provisos* were originally intended, and specially inserted in the law of 1832, to *insure* to the makers of iron the amount of protection apparently extended to them, and for which they the more cheerfully submitted to the large reduction of the duties established by that law!

There were circumstances attending the repeal of the provisos which cannot be thought of without disgust—and the effect of this repeal is—that iron, partially manufactured, or, more properly speaking, *apparently* manufactured, is admitted at a less rate of duty than the iron itself!

We have already freely stated the facts which belong to this *extraordinary* act of legislation—and shall, probably, have something more to say on the subject, that the repealing act may be repealed, as a matter of respect to *common decency*. The boast of the *Englishman* seems as if accomplished—"we'll break down the iron arch of Pennsylvania," said he, "and the whole system will fall to the ground."

DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

*In admiralty, July 7, 1833.*

The United States of America,

*vs.*

Thirty-one boxes and forty-two packages of articles, and ten pieces of iron falsely denominated straight, bent and turned links, and anchor iron. John F. Sarchet, claimant.

These articles were imported in the Wm. Byrnes from Liverpool, and invoiced 29 boxes bent links—2 boxes straight links—42 packages turned links—and 10 pieces of anchor iron, with their respective weights, cost, &c. The importer, by his attorney, John Sarchet, claimed to enter them at the custom house at 15 per cent. ad valorem under the act of 1816, as non enumerated articles manufactured in part—and denied that they were a complete manufacture of iron, which pays 25 per cent. ad valorem. Attached to and forming part of the invoice, was the affidavit of the shipper at Liverpool that he was in the habit of receiving and giving orders for links and anchor iron, and that they were the articles in commerce known by that name—and also the affidavit of the manufacturers that these were articles of commerce well known by those names, and fit for nothing but scrap iron unless made into chains and anchors, and for these purposes much more valuable than bar iron. These affidavits were very full, detailing the proofs by which links and anchor iron are made from the raw material and every thing in relation thereto. These the importer submitted to the collector attached to his invoice, who handed them to Mr. Mead the appraiser, who made the following report:

*Appraiser's office, January 18, 1833.*

*S. Swartwout, esq. collector.*

The two invoices handed you herewith of Mr. Thomas Barrow of Liverpool, offered for entry, contain the following articles, viz.

Bolt or chain iron of various diameters cut up in ends of different lengths for the making of links for chains, some are

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straight, some bent thus U and others of an oblong form turned or twisted thus ʔ the ends tapering to a point and flat for welding.

The straight ends are of the diameter of 72 inch and cut in uniform lengths of 5 inches. The ends bent thus U are 72¾ and 9-16 of an inch in diameter and in length 5½, 6 and 7 inches. These, together with the straight ends before named, are simply cut from the bar or bolt iron while in a heated state—varying in length and in diameter according to the size or strength required.

The oblong or turned links are 15-16 of an inch diameter and 11½ inches long, bent while heated, and in that state cut diagonally at the side by the aid of a machine called a mandrill, and then packed for purposes of transportation on a round bolt of iron 10½ feet long and 1½ inches in diameter, with a large head or flat piece of iron at one end of the bolt sufficiently large to prevent the links from passing over, and at the other end by a key securing them from coming off.

The two pieces called anchor iron are two feet long, 6½ inches square at the large end and tapering down to 1½ inches at the other end, and is in fact and truth hammered iron. It is unlike bar iron in every particular. Each piece besides is prepared separately by itself and then welded together for anchors.

I would particularly recommend to your perusal the oath or affirmation attached to this invoice of anchor iron. It sets forth in a clear and explicit manner the article in question—without a word from me—that it is intended for anchors there cannot be a doubt—that they are not anchors there cannot be a shadow of a doubt, and that they are not manufactures of iron suited to any known purpose, it is also equally clear and conclusive.

The oath or affirmation attached to the invoice of bolt or chain iron, is in the main equally clear and comprehensive, as regards the facts therein set forth, save that part which draws deductions from premises not warranted by facts, which part is marked in the margin of the affirmation by inverted lines. I cannot but consider this a case where the object of the owner is to evade the payment of duties imposed by the laws, and one so clearly and palpably wrong as not to admit of any well grounded defence under any view of the case. They cannot in truth be considered as manufactures within the intent and meaning of the law; that they are not chains, no one will be foolish enough to aver; but that they are intended for links for chains, no one will deny.

Under what view of the case, then, can they be called manufactures of iron? We might with the same propriety call a bar of iron a manufactured article. I am, respectfully, your obedient servant. (Signed) A. B. MEAD.

The bolt or chain iron, although cut up into pieces for links, should be classed for duty as bar or bolt iron, made wholly or in part by rolling, and the anchor iron as hammered iron.

(Signed) A. B. M.

The collector then, on suspicion that a fraud had been committed in making the entry, ordered the packages to be examined by Nicholas Saltus and Daniel Ayres, two merchants in New York city, who reported to the collector as follows:

SCHEDULE D.

*New York, January* 21, 1833.

*David S. Lyon, esq. deputy collector of port of New York.*

SIR: In answer to your letter of the 18th, requesting us to report to you our opinion of the iron entered by Mr. Sarchet in this custom house, imported in the ship Wm. Byrnes, beg leave to state that the said iron is what is represented in the certificates, viz: three descriptions of links well known to the trade as parts of chain cables, requiting but a small process to make them complete chain cables, and parts of anchors ready to be joined together. The tariff expressly states that chain cables or parts of chains, shall pay 3 cts. per lb. and anchors or parts of anchors, 2 cts. per lb. This was well known to Mr. Sarchet, and his attempt to enter them under any other form is an attempt of fraud on the revenue, and consequently in our opinion ought to be seized. Respectfully we are, &c.

NICHOLAS SALTUS.
DANIEL AYRES.

The articles were thereupon libelled as bar and bolt iron—short bars and bolts of iron, falsely denominated links and anchor iron—and also for that "the invoice and packages were falsely made up with intent by a false valuation, extension, or *otherwise*, to defraud the revenue"—that the goods were described as manufactured articles subject to 25 per cent. ad valorem, when they were iron in bars and bolts, and subject to a specific duty—that the packages contained articles not described in the invoice—that the packages were examined by two merchants and found to differ in their contents from the entry.

On the trial—the substance of the testimony was this:

The entry clerk of the custom house testified that Mr. Sarchet came to his desk, and proposed to enter this invoice at 15 per cent. ad valorem: but witness would not so enter it, and an entry was then made out at 25 per cent. ad valorem: He asked Mr. Sarchet what he wanted it charged at? He replied 15 per cent. Bonds were executed in blank.

Mr. Mead, U. S. appraiser, testified—that his report was correct, and he found this invoice, pieces of iron intended for links of chains, and he was bound to say, that the papers attached to the invoice were correct in every particular, and squared with the information he received, and confirmed it. The straight links he considered braziers' rods, but in commerce they would not be known as such. That he had no experience in iron, but what he had acquired as appraiser.

Mr. *Saltus* for the U. S. said that he was an importer of iron, and signed the report with Mr. Ayres to the collector as above, which was correct—that it costs about 2 to 3½ cents to make these links into chains—links are known in commerce as distinctive articles. In orders you merely give the diameter, and the manufacturer has rules for the length. The government advertise for straight and bent links, and witness has supplied them. Also for anchor iron in parts, but he never supplied anchor iron—chain cables are invariably imported 90 fathoms, in sections of 15 fathoms connected by shackles.

Mr. *Ayres* for the U. S. said that he signed the above report—and it is correct. He should think a link a part of a chain, and thinks the trade would so consider it—should think anchor iron parts of anchors. He sells links, and anchor iron—he invoices them as links and anchor iron—they are ordered by those names, and so known in commerce. He should order them by that name from abroad. Being asked if he so ordered, sold, bought and invoiced them, by what name he would enter them—the district attorney objected and the judge ruled he must not answer the question.

Mr. Ayres further said, to make the turned links into chains he thought would cost 2½ cents per lb. Imagines Sarchet's parts of anchors only wanted welding, a hole punched and a ring to make anchors of them.

Mr. *Jacocks*, clerk in the appraiser's office, said he knew very little of iron—supposed this anchor iron for the purpose of making anchors. Until this trial supposed a link considered by every body a part of a chain.

Mr. *Barker*, collector of Philadelphia, said Sarchet in 1829, contended that the anchor iron was not parts of anchors, but anchor iron subject to 15 *per cent.—But for the law of 1832*, witness would have considered links parts of bolt iron, and so charged them. The treasury decided before 1832 that they were not parts of chains, and the anchor iron not parts of anchors. I had charged the links as bolt iron and the anchor iron as anchors, as I always fix the highest rate of duty where there is a doubt.

Mr. *De Camp*, custom house officer, made iron 30 years previous to 1818. He should call links parts of chains, welded or not, and the straight ones, braziers' rods cut up in pieces, fit for rabbit screws and many purposes. The anchor iron I supposed pieces of anchors, and would be so considered by the trade. When these pieces leave the forge they are half made. If I wanted to make an anchor, I should order the number of pieces, giving the weight, and I don't know how it would come invoiced. Never saw an invoice of it. I don't know whether it is an article of commerce, but I have seen small quantities come into port for 13 years past, like this. Never finished or made an anchor, but sold a great quantity of anchor iron to merchants, who sell to the anchor maker. If well drawn, not much to do but weld it.

On the part of the claimant—Mr. John H. Howland of New York, importer and dealer in iron for many years, testified that, this invoice was not chains nor bar or bolt iron.

Mr. *Cornell*, a merchant, and five chain cable and anchor maker, including the most extensive in America, testified that links, straight, bent and turned, and anchor iron, were an article of commerce well known by those names, and so ordered, bought, sold, and invoiced—that the anchor iron was equally finished with iron in bars and bolts, and the links more so. That both were more valuable for chains and anchors than bar or bolt iron, but if not used for these purposes they should sell the same for scraps. That these links are not a manufactured article, but partly manufactured, and are the raw material of the chain maker, as common bar and bolt iron is of the general smith, and as anchor iron is of the anchor maker. That links welded and finished separately, would be no part of a chain unless in links—that a chain or part of a chain is a series of chains connected together, and these must be more than one. That the cost of making these straight links into chains is about 4 to $5 per cwt.—bent links 10 per cent. less, and turned $4 37½ to $5—that the general price of anchors is 11 to 12 cents per lb. and of anchor iron 5½ cents. That chain cable iron and anchor iron is a different kind of iron from bar or bolt iron, and much superior in quality, having no cinder in it, and higher in price, made in a particular way for the manufacture of cables and anchors. There is none in America suitable for the purpose, and experiments have proved it. The claimant also introduced the testimony taken in 1828, before congress, to show that congress in passing the law knew these articles as links, in which Mr. Keese's examination says, that at the Peru works they manufacture principally chain links and bar iron—and also the advertisements of the navy departments for links and anchor iron—to show that congress intended to leave these articles non-enumerated, as bar iron could not possibly be imported in that form for any useful purpose, and as our own iron is not suitable, that the chain cable and anchor makers might have the advantage of a cheap raw material.

Much other testimony was taken, which, with the arguments of counsel, occupied the court six days; but our limits will not permit its insertion.

Judge Betts read the following

OPINION:

U. S. district court, *vs.* 6 iron boxes, &c.

The forfeiture is claimed—

1. Because, on inspection of goods, the invoice was found to have been made up with intent by a false valuation, extension or otherwise, to evade and defraud the revenue. There is no

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proof showing any erroneous valuation or extension in the invoice, and it is admitted by the district attorney that the forfeiture can only be sustained by force of the expression "or otherwise."

He insists that the proof shows that the invoice was accompanied by a representation from manufacturers abroad, calculated and intended to induce the collector to allow the goods to be entered at a rate of duty lower than they were subject to by law, and that the inventory in correspondence with that proof, was made up by a misdescription, a false denomination of the goods.

The articles were entered as articles of manufacture subject to a duty of 25 per cent. ad valorem, and the affidavits of the manufacturers representing them to be so. It is contended on the part of the government that they were bar and bolt iron and anchors or parts of anchors, and liable to a specific duty under the act of May 22d, 1824, of 3 cents per lb. on the links and 2 cents per lb. on the anchors.

By the act of May 22, 1824, sec. 1, art. 5, a duty is imposed "on iron cables or chains or parts thereof," of 3 cents per lb. and "on anvils and anchors two cents per pound."

By the act of May 19, 1828, sec. 1, art. 2, a duty is laid "on bar and bolt iron, made wholly or in part by rolling," of $37 per ton.

The 5th article of the 1st section of the act of May, 1824, provides that "on all manufactures not otherwise specified, made of brass, iron, steel, pewter, lead, or tin, or of which either of these metals is a component material, a duty of 25 per cent. ad valorem shall be laid."

The 2d article of the 1st section of the act of April 27, 1816, enacts, that there shall be laid a duty of 15 per centum ad valorem on all articles not subject to any other rate of duty.

The claimant insists that although he entered his importation as subject to duties under the act of 1824, yet that strictly it comes within the provisions of the law of 1816, and should be charged with only 15 per cent. duty.

To bring these articles within the scope of the libel under this branch of it, it must be found that they were subject to specific duties, and that the manner of charging them upon the invoice is comprehended in the interdiction "or otherwise" of the act of 1830.

The point has been most pressed, in argument, that the court should now decide, whether they are not entitled to entry on the payment of 15 per cent. instead of 25.

It does not appear to me that the point is necessarily raised for decision in this cause. The allegation is that the goods were subject to specific duties, and that the claimant attempted a fraud upon the revenue in entering them as liable only to an ad valorem duty. If the general proposition is decided in favor of the claimant and his goods acquitted, it would be entirely gratuitous on the part of the court to go further, and settle between him and the officers of the custom house the rate of duty he should pay.

The present question is one of forfeiture alone, and whether the goods are liable to specific or ad valorem duties, is an inquiry which can have no relevancy except as showing the motive of the party in preparing his invoice. As he entered them there as liable to 25 per cent. duty and offered to pay that, it would be a useless speculation to inquire what the evidence of a fraudulent motive might be, had he endeavored to pass them at the lower rate, thereby saving 10 per cent. more to himself. We can in justice, do no more than estimate the influence of the act done, and there would accordingly seem to be no utility in carrying our regards to a more supposable state of facts. The term "otherwise" in a penal law is liable to serious objection for want of that precision and certainty the citizen has a right to expect in the language of a law which is to confiscate his property; and no court could go further in giving it meaning and application, by construction, than the plain intent of congress manifested in the context of the term, imperiously demanded.

The 4th section of the act of May 28, 1830, declares "that if any package shall be found to contain any article not described in the invoice, or if such package or invoice be made up with intent, by a false valuation or extension or otherwise, to evade or defraud the revenue, the same shall be forfeited."

Having designated three delicta by this clause, each of which shall work a forfeiture of the goods, the inquiry is whether some other substantive and distinct offence was intended to be provided against by the term "otherwise," and if so, whether it is to be interpreted to embrace every other fraud or evasion that may be devised, other than the three specifically designated.

It is believed no sound administration of penal law can permit a range so unlimited and hazardous to language of a very equivocal import. The expression ought rather to be construed as suppletory to those preceding it, and as having relation to the same subject matter. Congress no doubt intended to specify the modes in which offences followed by a forfeiture of property should be proved to have been committed, but as the enumeration might possibly omit some offence coming clearly within the general classification, though varying in some accidents of form or manner from those named, used a phraseology broad enough to bring such equivocal acts within the statute. The statue should therefore be construed as applying only to cases of the same character with those enumerated, and not to any of a different and independent description.

The offence described by the act is "making up a package or invoice" in a particular way. The term valuation and extension, apply to the invoice, and the otherwise as immediately associated with them by juxtaposition and grammatical connection, ought undoubtedly to be read as having reference to the invoice also. By what method of making up an invoice other than by valuation or extension, can this fraud be committed.

But by omitting articles, that offence is provided for in a previous part of the section.

But effect may be given to the term by applying it to a fraudulent misdescription of the invoice; though true to certain intents, yet being false and fraudulent as to the matter of duties to which the real article would be entitled. For instance, as entering refined sugar as white clayed, &c. the description actually given though true in terms, not being the whole truth such as represents the exact character of the commodity, and if acted upon at the custom house will leave the goods to pass with a lower rate of duty than they would pay under full denomination. In the case before the court, anchors or bar iron entered as anchor iron—parts of chain cables, as links—bolt iron, as straight links—if done with intent to evade or defraud the revenue, would be making up the invoice otherwise than by false valuation or extension, and in a way calculated to evade the payment of duties and so as to give application and significancy to this branch of the statute. It would thus become the false charge and the want of correspondence of the goods mentioned in the preceding part of the section, as all the articles of the libel proceed upon the allegation of a *false denomination*, or description of the goods imported. This controlling question in the merits of the cause may be as well discussed under this branch of the case, as in connection with any of the other charges of the libel. The different forms in which the offence is stated in the libel so as to bring it under some of the prohibitions of the statute as comprehended in and depend upon the proposition that "what is called in the invoice *anchor iron*, is bar iron or anchors; and what are called straight links, are bolt iron or brazier's rods; and what are called bent and turned links, are *parts of chain cables or chains;*" and these false descriptions are given with intent to evade the payment of duties. If this proposition is true, the goods would be subject to forfeiture under the branch of the libel now discussed: and if not true there is no matter set forth in any other part of the libel that would subject them to forfeiture. Without therefore waiting to arrange the proofs under the various charges of the libel, the most commodious and perspicuous mode of considering it will be to bring it in review under the head of the pleadings.

A critical examination of the evidence produced on the part of the government cannot fail to show that the allegations upon which the property was seized are too feebly supported to justify a condemnation for these causes alone, and if the proofs make out a case involved in some uncertainty and doubt, this doubt raised is not as to the accuracy of the invoice and entry (which would impose on this claimant the obligation of proving their correctness and bona fides. Wheat. R. 411), but it is, whether a probable cause for seizure existed.

The invoice and entry described the first item under consideration to be, "ten pieces of *anchor iron*."

The specific charge in the libel, applicable to this commodity, is, that it was *iron in bars;* although in the proceedings and argument it was considered to be anchors, or parts of anchors, and that it did not correspond with the invoice because of that misnomer. The only witness on the part of the United States personally conversant and experienced in the iron business who considers these as parts of anchors, is Mr. De Camp. But he is exceedingly indistinct and uncertain in his judgment as to the denomination it has acquired in commerce, and he unites with the other experienced witnesses, on the part of the United States, in saying it is not known as bar iron, that it is both more refined and of higher value than bar iron, and also is carried forward to a state of manufacture adapted to making anchors, and is more valuable for that use than any other.

Mr. Ayres says it is known in commerce as anchor iron; is so imported, invoiced and sold, and the general bearing of the proofs for government is, that an order for anchor iron would be as distinct and well understood in business as for any other article in the iron trade.

Under this proof, without adverting to the very full and satisfactory evidence on the part of the claimant in this behalf, it cannot be maintained, that the article entered as anchor iron did not correspond with the invoice describing it as such. If it was not to be considered a manufacture, but the raw material for the trade and business of anchor making, yet it is put beyond all doubt by the proofs, that it has acquired a settled and notorious denomination entirely distinguishing it from bar iron. So also it cannot be termed an anchor and be liable to a specific duty as such, because it has to undergo an important modification and manufacture to bring it from its present state into that of anchors.

The act of 1824 imposed a duty on anchors, and not as is assumed in the report of the merchants who inspected this importation, on anchors and "*all parts thereof.*" The latter provision is made in the act of July 14, 1832, (sec. 1. art. 9.) but this importation does not come under the provisions of the latter statute.

So as to the other parts of this entry. The testimony of Messrs. Mead, Saltus and Ayres, on the part of the United States, is clear and unequivocal, that the articles inventoried and entered as straight, bent and turned links, are well known in commerce by those denominations. They are manufactured and sold by these appellations; the straight and bent are com-

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mon in our market and pass by the name of links—the turned are an English fabric, and seem to have been imported solely by the claimant. All the witnesses however agree in terming it a link, and the appraiser using the same denomination details the mode of its manufacture.

This species of links and the bent ones were unquestionably within the general description of links, and whether they are more, and compose parts of chains, will be more particularly noticed presently.

Those called straight links have the appearance of ordinary brazier's rods, shortened to a standard length, fitting them for chain links. The rod is no other way changed than by cutting it into pieces.

It has been strenuously argued that this is only a simulated manufacture, still leaving the raw material to answer many valuable uses to which it is ordinarily applied, and that the alteration is fraudulent; intended to introduce the article in its present form at an impost below what it is legally liable to.

Although in the opinion of some of the witnesses, iron cut into these short pieces may be used to advantage for bolts, screws, spikes, &c. yet by far the greatest weight of evidence is, that unless manufactured into links, it would be only marketable or useful in this form, as scrap iron.

And the proof both of the witnesses on the part of the United States and the claimant, places the fact above question, that the article in this form is a well known commodity, manufactured here and imported from abroad, and bought and sold under the name of straight links, and that it is in well established use for making chains, and is most valuable for that purpose. This proof is abundantly sufficient to show that the articles found in the packages correspond with the invoice, and that they were properly entered as links, if they are not something more than ordinary links. The remaining inquiry then is, whether all the [illegible] subject to duty as *parts of chains*.

[illegible] no doubt that in correctness of language every but [illegible] distinct component portion of an entire thing, is a part of that thing. In this sense a link is a part of a chain. As a wheel, spring or chain is a part of a watch, each of them essential to the existence of the particular thing.

The act of congress laying a like duty upon "*cables or parts thereof*," includes within the letter, the separate links, as well as the series united in a chain, and would accordingly be so applied, unless a different signification be given up by usage and is well known to those conversant with the particular article, or the connection in which the expression is used, denotes that it is to receive a more comprehensive meaning. In seeking the proper interpretation of the phrase "parts thereof" as applicable to chain cables, we discover at the first step, that custom, norma loquendi of laws, as well as of society, has affixed a meaning to the first element of the subject (*links*) essentially variant from its acceptation in the strict sense of the term. A link considered as a substantive article of manufacture, must unquestionably be finished, have every operation performed upon it required to fit it for the use it is destined for; whether round or oval, open or closed, it becomes the link only when the artist has completed his labor upon it. The link which forms part of a chain cable, must necessarily be closed; neither a straight piece of rod, nor bent at one end, nor turned so as to bring the two ends nearly into union, can in accuracy be said to compose that description of link. Usage, however, as it has been abundantly proved, does give the name of links, to things intended to form chain cables, that cannot compose such cable without great additional labor and manufacture, and if in like way the expression "parts of chains" has obtained a meaning different from the literal import, the rule which adopts the customary appellation in the one case, ought also to give it the same force in the other.

The evidence very satisfactorily shows, that chain cables are imported entire and in fragments or sections of several fathoms in length, which can be united by shackle links, or opening an ordinary link so as to supply the length that may be required, and that such sections of the chain are known in commerce as parts of cables or chains. The part being complete as a chain of itself, but of less length than the cable commonly required.

As this is the denomination the commodity receives from the dealer, the manufacturer and those conversant with it, the presumption is exceedingly forcible, that the law of 1824 contemplated those sections as the parts of chains which are made liable to the same duty as the entire chain. But whether this be so or not, it is very clear to my mind, that in the sense of the act of 1824, nothing can be deemed part of a chain that is not, as to itself, as finished and complete, as the entire chain. It matters then very little in this case whether in the interpretation of the act, single links should be accepted as parts of chains, inasmuch as to acquire that quality, they must be finished and perfected as links. Nevertheless the construction I put upon the act in view of the facts disclosed by the evidence in this cause, and which it is proper to avow is, that parts of chains and pieces of chain are synonymous, and mean a series of links comprising a section less than the chain as usually imported. In this view of the subject, the part may consist of several fathoms, or any less extent beyond individual detached links: it denotes a portion taken from the whole and still retaining the properties of the whole, less only the extent.

In either view of the subject these articles are not liable to condemnation for the causes alleged.

The district attorney has argued that the importer is bound to swear that the entry is true in all particulars, and that these goods being entered as manufactured articles and subject to a duty of 25 per cent. if it is found that they cannot with justice be denominated manufactured or are subject to specific duties, they must be forfeited for those causes.

The answer to this argument is, that the goods have not been proceeded against as improperly described in the entry, nor is any statute shown subjecting them to forfeiture for that cause. The allegation of the libel is, that the goods on examination and inspection were found not to correspond with the description in the inventory, and it is for that variance that the act of 1830 subjects property to forfeiture.

And it may be further observed, that it is not shown that an erroneous claim at the custom house in respect to the duties, payable by imports, affects the importation or entry, when the goods are correctly described.

Probably it is of constant occurrence at the custom house, that merchants and the collector differ as to the rate of duties to be applied to an entry, when the goods are accurately and exactly denominated. The court know judicially, that such differences have sometimes occurred, and that the construction the merchant claimed for the laws, has been upheld in all the courts. Had it been invariably otherwise, congress would deal with most ungenerous severity with the citizen in confiscating his property for a difference of opinion, which could do the revenue no harm, as the thing is placed undisguisedly in the hands of the public officers, for them to judge whether the merchant is correct or not, in his estimate of the character of the commodity, and they have the power in the first instance of enforcing their construction of the laws, by retaining the goods until he pays the duties they demand.

In my opinion a misdescription of that character would no afford ground for forfeiture of the goods.

The following decree was entered.

This cause having been brought to hearing upon the pleadings and proofs, and having been argued by Mr. Hamilton, the attorney of the United States, on the part of the United States, and by Mr. Walker and Mr. Hall on the part of the claimant, and the premises having been fully considered by the court, it is considered and declared, that the charges in the libel, purporting that the goods specified in the entry were falsely described in the invoice mentioned in the pleadings, with intent to evade and defraud the revenue, are sufficient in law to subject such goods as were imported in boxes to forfeiture under the provisions of the fourth section of the act of May 28, 1830: but it is considered and declared, that anchors, or anchor iron, imported in bulk and not in packages or bundles, are not subject to forfeiture, under the provisions of the said section, and if they were so, it is further declared, that it is established by the proofs in the cause, that anchor iron is a commodity well known in commerce and to artizans by that appellation, and is distinct and different from the article denominated bar iron, or iron in bars; and that the commodity seized and articled upon in this cause corresponds with the description thereof in the invoice.

And it is further considered and declared, that it is established by the proofs in the cause, that the articles described in the invoice as straight links, bent links, and turned links, are articles well known in commerce, and to artizans, by those names and denominations, and are not, nor is either of them, bar or bolt iron, within the acceptation of that term in ordinary usage in trade and commerce; that they have been subjected to a process of manufacture by machinery and manual labor, changing them from the raw material into articles of enhanced value, for the particular uses to which the change has adapted them; and that they correspond with the descriptions thereof in the invoice.

And it is further considered and declared, that it is established by the proofs in this cause, that cables or chains, or parts thereof, as known and denominated in commerce and by artisans, consist of a series of finished links, and that one unfinished link or any indefinite number of unfinished links, are not denominated "cables or chains or parts thereof," and are not known as such.

Therefore it is considered, adjudged and decreed by the court, and his honor the district judge, by virtue of the power and authority in him vested doth order, adjudge, and decree, that the goods, wares and merchandises, specified in the pleadings in this cause, and seized by the collector as forfeited, were not entered at the custom house in this port as charged in the libel, by a false denomination, or description; and that the packages or invoices thereof were not, nor was either of them, made up with intent to evade or defraud the revenue, and that none of the said packages contained any article not described in the invoice thereof; and that the goods imported and entered as aforesaid, correspond with the invoices thereof; and it is therefore further considered and decreed, that the goods, wares and merchandises, described in the pleadings, be acquitted of the seizure thereof, and be forthwith delivered up to the claimant.

But inasmuch as it is made to appear in the proofs that the public appraisers, and two merchants, sworn to assist in the examination of the goods aforesaid, reported to the collector that, in their opinion, the importation and entry thereof had been fraudulently made with intent to evade the revenue, and recommended a seizure thereof, it is ordered that a certificate of probable cause of seizure be allowed and entered.

[From this decree the U. S. district attorney has appealed.]

J. A. Hamilton, for the U. States; C. Walker and J. P. Hall, for claimant.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 23—VOL. VIII.] BALTIMORE, AUG. 3, 1833. [VOL. XLIV. WHOLE No. 1,141

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞We insert, under the head of "nullification and so forth," a strange letter from gen. Hamilton, of South Carolina, and certain rough remarks of the Washington "Globe" upon it—as matters of curiosity only, proper for record, and in the manner presented to us, except that we have italicised the words in the "Globe," as to the "*unconstitutional protection*" of coarse woollens, and cottons and "*cash duties*," with what is said about the triumph of president *Jackson* "OVER THE AMERICAN SYSTEM IN ALL ITS PARTS." These are queer things; and, if the "collar" is truly marked—may be worthy of future comment. The *temper* of the general's letter, and the charity of the "Globe's" remarks, can hardly be sufficiently admired.

THE CHOLERA.

But four cases of this disease occurred at Pittsburgh, from the 17th to the 23d ultimo.

The cholera had nearly disappeared from the western part of the state of Louisiana. At New Orleans it had entirely disappeared, and that city is represented as healthy. The mortality amongst the slaves in Louisiana must have been immense. The Richmond Compiler states, that on the estate of general Wade Hampton, a little above N. Orleans, on the Mississippi, out of 1,500 slaves, more than 700 had died.

The various papers received by the late mail from Kentucky, give the gratifying intelligence that the cholera has greatly abated through the state, and in many of the towns where it had raged severely, it had entirely ceased. In some sections it had left the towns but had extended its ravages into the country.

Two cases and one death of cholera have occurred at Knoxville, Tennessee.

At Columbus, Ohio, seven deaths had occurred from cholera, and the disease prevails in several other towns in that state.

At Charleston, Va. but one case had occurred for several days.

A note from Kanawha Salines, Kanawha county, Va. reports 26 cases as having occurred there between the 9th and 16th ult. Most of the new cases are represented as mild and much more manageable than before.

The board of health of Pittsburgh under date of the 23d ult. report six more deaths from cholera, within the week immediately preceding, being forty-eight in all since the 11th of June, the date of its first appearance.

It appears from letters subsequently received from Princeton, New Jersey, that the reported appearance of cholera in that city was premature. The physician who, at first pronounced the case, which gave rise to the alarm, "a case of malignant cholera," now considers it "an aggravated case of cholera morbus."

A gentleman of Salem, Indiana, writes to his friend at Cincinnati that from the 1st to the 12th of July the cholera had carried off 60 of their citizens out of a population of 600.

RELIGIOUS NEWSPAPERS, AND CONTROVERSIES. We have "fallen upon evil times." Indeed, it would almost seem that a return to the "days of fire and faggot" might be speedily looked for—if the secular power could be rendered subservient to the propagation and "glorious progress" of some of the leading *Christian* sects. Concerning such quarrels, (which then existed as now though with a better excuse than at present), *Franklin*, about sixty years ago, said in a private letter to a friend:—

"When theologians or religious people quarrel about religion, each party abuses the other; the profane and the infidel believe both sides, and enjoy the fray; the reputation of religion in general suffers, and its enemies are ready to say, not what was said in the primitive times, *behold how these Christians love one another*, but, *mark how these Christians* HATE *one another!*"

And when we refer to certain newspapers in which "the drum ecclesiastic" is most loudly and wickedly beaten—with rub-a-dub here, and rub-a-dub there—it may well be said—"*mark how these Christians hate one another.*"

There have been many regular *set-tos* between wrangling priests—whose zeal was manifestly greater "to floor" their antagonists—and, by cart-loads of Latin and Greek and Hebrew, "with" or "without points," send each other into the safe and fast keeping of "the prince of devils," and gather laurels for themselves—outrageously and indecently inconsistent with the sublime principles of that religion which teaches meekness and forbearance and "peace and good will to all men." And even the 4th of July—a day which of all others should be kept free from such controversies, and mainly because that perfect rights of conscience were established by the Declaration of Independence, has been used for the purpose of forwarding sectarian or particular religious views, and the progress of one of the "churches" has been toasted on this day! At Salem, (Mass.) a "reverend gentlemen," invited to address the people in honor of the anniversary, thumped and thundered against Sunday mails; and at Boston, at a large dinner party, the increasing power, or numbers, of the Roman Catholic church in the United States, was several times greeted at the "festive board!" Such things are not only in "bad taste"—they are *decidedly mischievous*, and should promptly obtain the most decided marks of public reproach, contempt and scorn.

We "owe no subscription" to the rules of faith of any party of religionists—for we cannot receive the whole dogmas of any one; but we agree in *practice* with the good people of all, who "do justice, love mercy and walk humbly." And it always delights us to witness, or be informed of, such instances of co-operating goodness, as is found in the Baltimore infirmary, where our valuable and valued friend, *Solomon Etting*, esq. the governor of that institution and a "Jew," has a charge over the "Sisters of Charity," devoted to administer to the wants and relieve the pains of the sick and wounded and sore. No one who is acquainted with the persons just alluded to can, for an instant, suppose that "Jew or Gentile," "bond or free," is regarded in the fatherly or sister-like kindness and care with which patients are attended—or that between the two, so different in matters of faith, there is any difference in *doing* what the "*law* and the *gospel*" enjoins on both.

The wonderful increase of Roman Catholics in the U. States, within a few years past, seems to have much alarmed some other sects of professors. But these ought rather to imitate the zeal and industry of the Roman Catholics in performing what they believe is a duty, than "utter thunders" at them which fall harmless. And on the other hand, the lofty *exclusiveness* which we sometimes see proclaimed by the Roman Catholics, is merely calculated to provoke enmities among the people, and render cause for saying "mark how these Christians hate one another"—and alas! with strict justice.

We read that "the harvest truly is great, but the laborers few." Every "church," more or less, has adopted certain "articles of faith" which are regarded by its thorough-going members as *essentials*; but if all these "essentials" were collected together and made into one book, a *Chinese* philosopher would, probably, regard the Christian religion, (as set forth in these utterly opposing dogmas), as a much more confused mass of matter than that of the various sects which abound in his own land; and, perhaps, also claim, in his own behalf, the fact,—that a far greater number of the inhabitants of the world are of *his* own general way of thinking. And yet on the important point of shewing the duty which man owes to the CREATOR by rendering kindness to his creatures,—the followers of MOSES or of JESUS—of Confucius or Mahomet, or even those who regard the person of the Grand Lama as the invisible evidence of GOD—would



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all agree. In matters of faith, every man has an unquestionable right to judge for himself, when determining what particular sect approaches the nearest to the dictates of his own conscience—but it is required of all men, that, using this great and glorious liberty for themselves, they should not interfere with or abuse others for doing the same thing. It shews a spirit which is in *malignant* opposition to the charity of the gospel; and in the beautiful parable of the "good Samaritan," and in numerous other instances, it pleased the Great Teacher, to shew that professions, without works of benevolence, were utterly vain. The Gentile, who poured oil and wine into the wounds of the man who had been beset with thieves, was preferred to the priest-capped Levite, who would have suffered a fellow man to perish by the way-side. The *dignified* professor—one who had a legal right to enter the temple and render mouth-worship there—saying "stand aside, for I am holier than thou," was shewn to have no religion in his soul—whereas the other, who might have been hacked into pieces had he penetrated even the "outer veil," was held up as an example for the followers of the "Meek and Lowly."

It is not often that we speak of such subjects—and for the reason that it is hardly possible to refer to the tenets or conduct of a religious sect, without finding a thousand pens ready "to leap from" their ink-stands, blackened with all the fury of partizan zeal, and sharpened by the common "danger of the craft;" and the most insolent remarks uttered, in the most general terms, are discovered to have some *direct* application to persons or things which never entered the mind of the writer of them—but we would encourage a greater degree of liberality, and a closer observance of what we quaintly call the 12th commandment—"Let every one mind his own business." Our business, "as we understand it," is to enforce the 11th commandment—"Love one another." And we do think that deeds, and not words—the offerings of the heart, rather than of bulls or of rams, or any other outward ceremony or sacrifice, will find acceptance hereafter: when the dust of all men shall be mingled in a common mass of matter—autocrats and emperors, popes and arch-bishops shall return to the earth as they were, with the wild Arabs of the desert, and the filthy Hottentots of southern Africa—and "all without distinction lie." But we have been disgusted with the foul and malicious things which we have seen published in too many of the *religious* newspapers, and would enter an humble, but earnest, protest against them all, saying "Let there be peace between you."

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"BULLS AND BEARS." It is not long since that speculations in stocks assumed the shape of an *organized* business, in any part of the United States—though allied gangs of "black legs," and other sharpers, including counterfeiters of bank notes, were well known to exist—for nearly all, if not all, of the dealings in stocks resulted in *actual* sales and *actual* purchases made, as persons wished to change the condition of their capital, or as they supposed that prices would *honestly* advance or decline—as individuals sell, or purchase, flour, cotton, tobacco, &c. in *their* prospects of the future state of the actual market. And even yet it will not be easy for sober-minded Americans clearly to apprehend, that persons holding a respectable rank in society, make a regular business of *gambling* in the stocks, on the same principle that persons bet 100 or 1,000 dollars on the turn of a card, the cast of a die, or a foot-race between a pair of cockroaches! With this difference, however—that the "black-leg," in the gambling houses, proper, or "hells" as they are called in London and Paris and other places—perhaps, more fairly takes the chances of the play, than the stock-jobber on 'change, and may be a less closely-calculating knave—for the stock-jobber may have more influence on the game which *he* is playing than the "black-leg." Instance the vile and base *procurement*, at New York, of a certain message of president *Jackson* concerning the bank of the United States, before it was laid before *congress*, and the heavy stock transactions which followed that disgusting proceeding—a proceeding which, even in stock-jobbing London, would have consigned the authors of it, with the actors in it, to public execration and universal contempt. It was for less than this, that the banner of lord *Cochrane* was torn from the wall, and trampled under foot, and he, himself, cast out of the company of honorable men. This gross fraud has never been explained. The *president* is, as he must be, acquitted of all previous knowledge of the matter; but many think that the grossness of it, and the *treachery* of some in whom he had confided, ought to have caused a strict examination into the facts, as well as a severe and public exposure of all the persons engaged in it.

The fact is that such a body of dealers in stocks as we have described, is in full operation—and to these men may be fairly ascribed the chief part of the clamor and falsehood which has been latterly circulated concerning the bank—*for the aliment of the stock-jobber is in agitating the price of the stock*, resting upon his more perfect knowledge of business, (as the professed gambler does upon *his* knowledge of the cards), to turn such agitations to his own advantage. So the buzzard, at a "giddy height," smells a putrid carcass, to feed on.

We have "bulls and bears" as well on 'change at New York, as on 'change at London—a class of persons who have adopted not only the *cockney* terms, but also the cockney rules, for doing "business." They had better have called themselves the *swindlers* and the *swindled*—and then we Americans would have understood them without the necessity *of referring to an English slang* dictionary.

In making these general remarks, we do not wish to be thought as denouncing *every* such dealer in stocks for a deliberate gambler, or desperate knave. We hope that some exceptions may be found among them. But the ordinary manner, and leading motives on which this *business* is conducted, we think, well deserves, the general character which we have given to it. There is a saying that "speculation is the life of business." It may be so—though we have never practised it in any manner whatever. But if speculation in *substantial* things—such as flour and cotton, "gives life to business"—it is no argument in favor of those processes concerning [*not in*] the stocks that we have spoken of—any more than it would be to apply it to foot-races of cockroaches, as suggested above—for the whole business of stock-jobbing does not add one cent to the earnings of the country; whereas speculations in flour or cotton, by encouraging or *compelling* enterprise, *may* add to the quantity, or increase the general market for those substantial commodities; and thus a benefit will accrue to the growers of wheat or of cotton—and the circulation of money, which is "the life of business," be rendered more rapid as well as more extensive—resulting in new and substantial investments, to be further used in new creations of value. But dealings in the stocks have no *substantiality* in them. Persons who do not hold a single share contract for the delivery of thousands—and those with whom such contracts are made, offer fresh contracts—without the transfer of a single share of stock, except in some extraordinary case, where the shares contracted for are *demanded*. It is not possible to believe that there is any *public good* in such transactions—or that they furnish a fitting employment for intelligent men. Let every circumstance be pleaded in their favor that may—it is neither more nor less than sheer gambling.

We have been led to these observations by the facts stated in the following paragraph—which we cut out of a Philadelphia paper a considerable time ago, and have just found in one of our collections of scraps; and, with its insertion, we shall conclude our remarks for the present.

*Bulls and bears.* These terms, so common among stockholders, and so well understood by them, frequently puzzle the uninitiated of the community not a little. They originated in the London stock exchange, where stock-jobbing is carried on to a greater extent than in any city in the world, and where a large majority of the transactions have no reference to investments, being made altogether on time, and the difference paid on settling day. Bulls are buyers, and bears sellers. In New York, where they endeavor to copy England as much as possible, and especially London, a large trade of the same nature is carried on, especially in United States bank stock. A great strife has prevailed for the last two or three weeks between the two belligerent parties, the bulls and the bears, the latter struggling to the utmost to

keep the stock down, as they have large, and still have larger deliveries to make at prices *considerably below* the selling rates. The bulls have nothing to do but to watch the manœuvres of their adversaries, as the stock continues to rise, in despite of all their efforts to cheapen it. But the worst of all is, that the bulls refuse to settle at the difference, but demand the stock, which requires the bears to make bona fide purchases, and which they must do of the bulls, who keep advancing on them, or send here, as they have done, though without much success.

We are and we are not. We are sorry to see it mentioned, by a Washington letter writer, that a distinguished officer of the navy was, sometime since, engaged in speculating in the stock of the bank of the United States, and as if in full communion with the *herd* engaged in that business—but we are not sorry to learn that he probably sustained a loss of five thousand dollars by thus wandering out of his proper course.

Banking in New York! We have a full and long statement of certain things which happened in taking, or assigning the stock of the "Seventh ward bank," in New York, and enough, indeed, of "bargain, intrigue, corruption and management!" We have not room for the details. The great principle of the *politicians* of this state—that the "spoils belong to the victors," were never more completely manifested than on the present occasion, as the following brief notices will shew:

| | |
|---|---|
| The number of shares applied for in the 7th ward, was | 13,170 |
| Do. awarded | 3,710 |
| Refused | 9,460 |

The capital of this bank was to be only $500,000—but it seems that more than 6,000,000 were subscribed, a "glorious speculation!"

Now, of the 3,710 shares assigned to the 7th ward, it appears that the *four bank commissioners*, ("providing for their own families"), first awarded 1,135 shares to *themselves*, their *fathers* and *brothers*, *sons-in-law* and *brothers in-law* and *mothers-in-law*, and JOURNEYMEN—yet generously leaving 2,575 for other persons, or more than two-thirds of the whole!

Well—the 2,575 shares were thus disposed of—

| | |
|---|---|
| To *public officers*—of the United States or state or city of New York | 1,640 |
| To *members of the common council* | 230 |
| To *inspectors of the ward elections*—(3 persons) | 115 |
| To *members of the assembly* | 550 |
| | 2,535 |
| To THE PUBLIC!!! | 40 |
| | 2,575 |

"*O, heu—jam satis!*"

An application is to be made to the legislature for the repeal of the charter of this bank—but is the "management" about it more flagrant than in other cases, since the organization of that grand machine, the "SAFETY FUND?"

There was, however, one redeeming feature in the conduct of the commissioners. They did not knowingly, it seems, award one share to the brokers. But still we must say that the right to exclude them, as a body, is rather questionable!

Price! The price of cotton is rapidly rising. We suppose that the south will not ascribe this to the arrangement about the tariff, seeing it does not go into effect until the end of the present year—and, for several years, will not have any material effect on our present manufactures of cotton. But coffee, has also risen, though imported duty free! What will the "philosophers" say to these things? They are "*botherers*," whichever way they are turned—"stumbling blocks" to the "wise," but easily understood by *practical men*.

The revenue. According to the data which have been furnished by the returns of revenue accrued at some of the principal ports during the first half of the present year, there seems to be a diminution of about *one-third* as compared with the revenue which accrued during the same period in 1832. This is owing to the repeal or reduction of duties under the new acts of congress, and not to any falling off in the amount of importations. But notwithstanding the diminution of duties *accruing* the present year, it would not be surprising if the actual *receipts* should be equal to those of 1833. For, in the first place, a considerable part of the duties which *accrued* in 1832 are *payable* the present year; and in the second place, the introduction of the cash duties and short credits under the new laws, will throw a larger amount of *payments* in the present year than of right belongs to it. The receipts last year, from customs, were $24,224,441 77. The expenses of government will not exceed $14,000,000. Consequently, if the receipts of the present year shall equal those of 1832, there will be a surplus of more than $10,000,000, which, added to the balance in the treasury at the commencement of the year, $4,502,914 45, and $4,000,000 from public lands and other sources, will give a total surplus of more than $18,000,000. Deduct $7,001,698 83, the amount of the national debt at the beginning of the year, and there will be a clear balance of about $11,000,000, which congress will not know what to do with. If we had the control of Uncle Sam's purse-strings, we would, with the consent of the southern states, apply this sum to the gradual extinction of slavery. Next year the actual receipts from customs will not probably exceed $15,000,000 or $16,000,000.

*Cour. & Enq.*

[We shall see—"nous verrons!" how nearly these calculations will be realized. There are some "odds and ends" which, we think, have not been brought into the account.]

Puff—puff—puff. Flaming handbills are stuck up, says the N. York Gazette, about our streets, offering to teach fifty-two (!) branches of education in a year, at thirty-eight cents each branch. We saw one under which some wag had written:—"Them as larns manners, two-pence more."

☞It would not be venturing much to say, that the handbills alluded to were issued by modest *foreigners*, just imported or *exported*, as the case may be, and who have had interest, or impudence, enough to fill many newspapers with daily puffs. One fellow teaches reading, perfectly, in 12 lessons, to persons who just know the difference between A and Z: another grammar, critically, in 7½ lessons: others writing, in 6¼ a 7 lessons; another painting in 5½ lessons: and many teach—that "fools and their money are soon parted."

Lost mail found. We learn from the post office in this city, that the mail from New Brunswick, (New Jersey), which has been missing for two or three weeks, and for which a reward was offered, was received at our post office by the southern mail this morning. It appears from the post bill that this mail had been received at the post office in Cincinnati, (Ohio), whence it was sent to the post office of this city where it should have arrived on the 6th ult!! It is fortunate that this mail has been found, as it exonerates several pesons from unjust suspicions. We are informed that a considerable sum of money has also been saved; that one letter contained $700, and others checks, &c. to the amount of more than $2,000. [*N. Y. Post.*

Liberia. There are good accounts from Liberia.—Those who expected that a prosperous colony would be built up at once—were ignorant of the history of every state in this union. All such establishments require much nursing, as well as energy of mind, and strength of body—with considerable time—and the pioneers are always the greatest sufferers; but now the colony appears to be established—and its inhabitants have become sufficiently acquainted with the soil and climate, *as well as with one another*, to make rapid improvements of their condition, and make daily accessions of strength.

Two of the principal, (colored) officers of the colony, Messrs. Williams and Roberts, lately addressed a large meeting at Boston, in aid of the colonization society—when the following facts appeared—

The population of Liberia is between three and four thousand, distributed in seven settlements along the coast and in the interior of the colony. Its territorial extent

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is from one hundred and fifty to two hundred miles in length along the coast, and about fifty in breadth. It contains one thousand houses, four schools and six churches. The most friendly relations subsist with the surrounding native tribes, many of which have placed themselves under its protection, and submitted to its laws.

Mr. Williams, who is lieut. governor of the colony stated that when he first arrived at Liberia, it was nearly a wilderness. There were but a few inhabitants, and these furnished with nothing but miserable huts for habitations. They were surrounded with enemies on every side, among the native tribes—and by the more infernal foe, the slave trader. Slave factories were numerous along the coast, and one was located within a few miles of Monrovia. Yet he felt that there he would enjoy the privileges of a freeman, and he determined to adopt it as his home. He accordingly returned to America for his family, with whom he soon after established himself in Liberia. He drew a brief but striking sketch of the condition of the country then, when they were obliged to sleep on their arms, with the fearful anticipation of midnight massacre, and rejoiced when the morning sun beamed upon the unbroken slumber even of infancy. The slavers were abroad on every side, and even in the harbor of Monrovia, several slave ships were often at anchor at once. Yet in this feeble and perilous condition they resolved upon the bold attempt of storming the slave factory in their neighborhood. In the white man's land, such an exploit might have been called chivalrous. Mr. Williams headed the party, and the enterprise was completely successful. The fort was taken by storm, and a large number of imprisoned slaves liberated. Mr. Williams contrasted those times with the present situation of the country—with a population increased thirty fold, at peace with, and themselves the protectors of the surrounding native tribes, enjoying the means of moral and literary improvement, and possessing all the comforts of life. He gave a favorable account of the morals of the colonists. During all his residence in the colony, he had not seen more than two or three residents drunk, and had heard more profaneness since he left home a few weeks ago, than during the whole period of his abode there.

Mr. Roberts confirmed the statements of Mr. W. concerning the condition of the colony. Ten thousand natives of the adjoining tribes were under its protection and laws, and it had friendly intercourse and communication with more than one hundred thousand in the interior. The commerce was considerable and increasing. The exports of the last year amounted to $70,000, and those of the present year would probably be more than $100,000. The slave traffic had been completely abolished He repelled, as totally untrue, the charge, which has been circulated in this country, that the colonists connived at the traffic, and even furnished the traders with slaves. He said that a slave ship had not been seen in the harbor of Monrovia for many a year. They dare not cast anchor in its waters. Nor is there a slave factory within one hundred and fifty miles of the colony on either side. To that extent the traffic is completely abolished.

The colony, he said, is prosperous and increasing, and the day is not far distant, when the flag of Liberia will wave in the harbors of America and England. Then policy, if not justice, will persuade America and England to respect us.

Mr. Stuart's tour. A certain Mr. Stuart has made a book called "*Three years in America.*" It very much differs from other *manufactures* about us and our country. Mr. S. evidently meant to be honest—and to speak of things as they were, or, at least, as they appeared to him.

We meet with the following notice of the book alluded to—

Mr. Stuart did not see a beggar in Boston, or a person that was not well dressed. His observation just comes contemporaneously before the public with a paragraph in the country newspapers, which tells us that at Old Boston, in Old England, where the population amounts to 13,000 upwards of 5,000 are paupers in the receipt of parish pay.

☞It should have been added, however—that, though there are no "beggars" in our Boston, there are a few "paupers"—perhaps, to the amount of the half of one per cent. of the whole population, regard being had to natives of all New England.

Lotteries in this country. It appears from the statements collected in Mr. Gordon's able discourse, that although the lottery trade is prohibited by the laws of this state, the yearly traffic in Boston alone, probably amounts to more than a million of dollars; and that, 25 per cent. being allowed for commission, the profits may be rated at $250,000, which, divided among 50 dealers in this city, makes a yearly income of $5,000 to each. It is believed that the business is so systematically arranged, that the city is divided into districts, and persons appointed in each, to board vessels just arrived, visit certain bar-rooms, cellars and other resorts, and contrive means generally for the good of *the trade.*

In the city of New York, according to the presentment of a grand jury, made Nov. 12, 1830, the number of lotteries drawn during the year previous was 52—with 1,857,000 tickets, amounting at the scheme price, to *nine millions two hundred and seventy thousand dollars.*

But, says Mr. G. to ascertain, as near as may be, the amount of tickets sold in various states, the best data, that can be easily obtained, are furnished by the number of schemes drawn in a year in each state, and the value of them. We presume the following statement may be relied upon as very nearly correct, in regard to the lotteries authorised by the following states, in 1832:

| *States authorising lotteries.* | *No. of classes.* | *Am't of tickets at scheme prices.* |
|---|---|---|
| New York, | 80 | $14,387,801 |
| Virginia, | 72 | 10,920,166 |
| Connecticut, | 88 | 8,332,583 |
| Rhode Island, | 68 | 7,837,621 |
| Pennsylvania, | 26 | 5,313,056 |
| Delaware and N. Carolina, (joint grants) | 37 | 3,462,900 |
| Maryland, | 18 | 2,212,540 |
| Delaware, | 32 | 670,263 |
| Aggregate in 9 states, | 420 | $53,136,930 |

In addition to this amount, Maine has two lotteries, and several of the southern states have others. Rhode Island granted one of 52 classes last month, which will tax the community several millions. But independently of these, the sum above named, with the addition of 25 per cent. brokerage, makes an amount of *sixty-six millions four hundred and twenty thousand dollars!*—that is, of five times the sum of the annual expenses of the American government, and of nearly three times the whole yearly revenue! [*Boston Mer. Jour.*

Friends' trial in Trenton, N. J. The court of errors and appeals—composed of the governor and members of council, one from each county in the state—convened yesterday, and organized for business, the cause for argument being the important case between the two parts of the society of Friends commonly called Orthodox and Hicksites, involving the right to the possession of certain property. In consequence of the absence of George Wood, one of the counsel for the Orthodox, the court adjourned over to this morning; when all the members of the court appeared, except two—Mr. Board, of Bergen, and Mr. Carter, of Warren county. The cause was then opened by Garrett D. Wall, who read the pleadings filed in the case, on the part of the Hicksites. He was followed by George Wood, who read those filed on the part of the Orthodox, which occupied the court nearly two hours. He was followed by S. L. Southard, who read the interpleadings on the part of the Hicksites.

The members of the court, with the governor, sitting in this case, are—Dr. Clowson, vice president of council, of Salem; judge Wood, of Morris; Peter I. Clark, of Hunterdon; I. Townsend, of Cape May; James S. Green, of Somerset; Daniel Holmes, of Monmouth; Wm. Champion, of Burlington; Wm. Merkle, of Sussex and I. T. McDowell, of Middlesex: two members being absent; and two—J. Kaighn, of Gloucester, and I. H. Williamson, of Essex—being ineligible to a seat in this suit, the first being a member of the society of Friends, and the last being one of the counsel for the Orthodox. There is no member of council from Cumberland besides the governor, who was elected to council, and afterwards appointed governor.

It is yet uncertain when the regular summing up of the pleadings of the counsel will commence. If the readi[ng]

of evidence, which is very voluminous, is dispensed with, it will probably be opened by G. D. Wall, on the part of the Hicksites, this afternoon, or to-morrow morning, He will be followed by George Wood and the hon. Theodore Frelinghuysen, on the part of the Orthodox; and the whole will be closed by the hon. S. L. Southard, on the part of the Hicksites.

Great interest is felt, both on account of the importance of the trial and the very high standing and talents of the counsel, on both sides of the question. In addition to the above named gentlemen, who will take part in the argument, I. H. Williamson assists in preparing and arranging the case on the part of the Orthodox. The court meets regularly at 9, A. M. and 3, P. M. sitting six hours each day. The secretary of the court, judge Westcoat, has taken pains to have the supreme court room fitted up in a very convenient manner for the occasion. This room is very large and airy, and capable of containing a large number of spectators; although numbers are now here from Philadelphia and the adjoining counties, yet hundreds more might be accommodated without inconvenience. [*Philada. Gaz. July* 17.

Mr. Randolph's will. We understand that Mr. Randolph's papers have been ransacked, and that no will of a later date has been found. The public curiosity has been so much excited upon this subject, that we may be excused for noticing the present state of the facts, as we understand them.

Judge Leigh is said to have in his possession, two wills in Mr. R's hand writing—the 1st is dated in January, 1822; the 2d in March, 1832.

The 1st directs his slaves to be manumitted, and makes provisions for their maintenance, and we believe, removal, under the superintendence of bishop Meade, and of Francis S. Key, esq.—and bequeathes the residuum of his estate to judge Leigh. This will is said to have been subsequently "cancelled" by Mr. R. and his signature to have been cut out.

The 2d will makes no provision for the manumission of his slaves—and its principal legacies are, 1. $10,000 to judge Henry St. G. Tucker. 2. $10,000 to judge Leigh. 3. $5,000 to John Randolph Leigh, a young son of judge L. 4. Gascoigne and a filly and some plate to Mr. John Wickham. 5. Two fillies and a pair of candlesticks to Mr. Macon. 6. His carriage and horses, and some French plate, to Dr. Brockenbrough—and the residue of his estate to the eldest son of his niece, Mrs. Bryant, of Gloucester, a daughter of judge Coalter—with the reversion, in case of the death of the boy, about 20 months old, without heir, to the eldest son of judge H. St. G. Tucker—and in case of *his* death, to the judge's next son, &c. &c.

This last testament will probably be offered for probate to the next Charlotte court. It may perhaps be contested by the trustees for the slaves, upon the ground that the first will may be good—or, it may perhaps be contested by other parties, upon the ground, that neither of the wills is good—and in this case, that the whole property should be distributed according to the provisions of the act of assembly.

It is probable, indeed, that the subject may give rise to some litigation—in which case, it may become hereafter the duty of the court of appeals to decide the whole matter. [*Richmond Enquirer.*

Escape of slaves. As the James Fisher, a regular trader from Richmond to the northern ports, was lying at Rocketts, on last Saturday evening, the 27th ult. four slaves got on board and concealed themselves in the hold of the vessel. She was deeply laden with coal bound to Newark. In the course of that night or the next morning, she sailed—and some time during the day, (Sunday), a knocking was heard on the ceiling of the deck. On raising the hatches, three of the negroes rushed out, one of whom jumped into the river. On putting out the small boat, the swimming fellow was taken in. It was then discovered that the fourth slave, belonging to Messrs Wortham & Magruder, of this city, had become suffocated in the close air of the vessel. The captain of the James Fisher, with the negroes, returned on Sunday evening, in the steamboat Potomac, and delivered them up to their owners. The captain and crew most positively disclaim all knowledge of the intended plan of their escape. As several cases of this description have recently occurred, it becomes essentially necessary to adopt the most efficient police regulation to prevent their repetition. [*Richmond Enquirer.*

Destructive fire at Waterford, N. Y. *Waterford, (Saratoga co.) July* 26. We have just subdued one of the most ruinous fires which has ever been visited upon our village. Almost the entire part of the town, upon which our extensive *mechanical* and *manufacturing* operations were carried on, is now in ruins. The loss is immense, and falls almost entirely on that enterprising class of our citizens which constitute the life of all our business operations. The fire was discovered in the new machine-shop of Kimball & Co. about 2 o'clock this morning, and before the citizens had collected to much extent, the roof had tumbled in, and the fire had communicated to the shop of Messrs. King, Wing & Co. on the south, and Messrs. Olney, Ambler & Minor, on the north; the last contained about 8,000 dollars worth of machinery—loss very heavy. From thence it caught to the roof of Waterford cotton factory, and raged with such violence, that before we could arrest its progress, the two upper stories, with almost the entire machinery, and much valuable property, was either consumed or dashed to pieces, in the attempt to save it from the devouring element. The walls of this great building remain almost unbroken, only to give prominence to the surrounding desolation. The Fire Engine Manufacturing company, are sufferers to a considerable extent, say in all, four or five thousand dollars. The company of Olney, Ambler & Miner, about $10,000; Mr. Blake 2,000; and the cotton factory $15,000; besides, some eight or ten different branches, which were carried on in the same buildings, of more or less importance. The loss amounting in all to from forty to fifty thousand dollars.

About four hundred industrious mechanics are dependent upon the mercy of the public for employment in consequence of the fire. *Albany Eve. Jour.*

Sale of public lands. The sales of public lands in Michigan territory during the quarter ending the 29th June, amount to about *two hundred and five thousand dollars*, as follows:

| | |
|---|---|
| At Monroe, | $90,000 |
| Detroit, | 79,000 |
| White Pigeon, | 36,000 |

The accession which has been made to the population of Michigan since the opening of navigation this season, may be estimated at between 5,000 and 6,000. There is but little doubt but that next year the population of this territory will entitle us to enter the union as a free and sovereign state. [*Detroit Journal.*

From the "far west." The steamboat Assineboine, B. Pratte, jr. master, arrived on Thursday night last, from the mouth of the Yellow Stone, with a full cargo of furs, skins, &c. for the American fur company. By this arrival, we learn, that the steamboat Yellow Stone lost three of her hands and a pilot, by the cholera, while ascending the river, near the mouth of the Kansas. We also learn, that famine—a calamity more dreadful than the cholera—threatens the inhabitants of the immense region of the Upper Missouri. No buffalo had appeared upon the plains of that country during the past spring; and the Indians, in the thriftless economy which governs them at all times, were in consequence destitute of the means of subsistence. Even the traders were compelled to subsist on Buffalo tongues, (obtained during a preceding season), and corn; and the voyageurs had not this fare allowed to them. No one has, we believe, pretended to account for this disappearance of the immense herds of buffalo which covered those regions. It was observed, by persons who were in the Assineboine, and who have been in the habit of navigating the Missouri, that points at which vast numbers of buffalo had always been known to herd, were deserted, or but a single one now and then seen. [*Missouri Republican.*

Officers of the late war. A meeting of a number of the officers, who served in the late war, with Great Britain, was held at Columbus, O. on the 8th ult. when a

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resolution was passed, appointing a committee of three, to draft a memorial to congress, asking a grant of land, in consideration of their services and sacrifices—and that the committee respectfully solicit the co-operation of the Ohio delegation in congress, in obtaining a just remuneration as aforesaid. And that said committee, George Kesling, John McElvain and William Doherty, correspond with officers and committees of other states, interested in the subject.

SAILING OF THE DELAWARE. The United States ship of the line, *Delaware*, capt. BALLARD, sailed from Hampton Roads on the 30th ult. for New York, with a fresh southerly breeze, which will probably take her to that port in 30 hours. On Monday, the president of the U. States, and his suite, paid a visit to the Delaware, and were attended through the ship by capt. Ballard and his officers. The president expressed in warm terms his admiration of the interior wonders of this prodigious floating castle, its superior style of equipment, and the high state of discipline observed in every department. At going on board, and leaving the ship, he was complimented with a salute of 21 guns—although he had signified his wish to dispense with that ceremony.

SINGULAR PHENOMENON. A correspondent of the Buffalo Bulletin, gives the following account of an uncommon occurrence which took place in Genesee county, on the 20th of June:

Between two and three o'clock in the morning, there was heard by several of the inhabitants of the town of Java and Sheldon, Genesee county, a remarkable roaring, resembling that of a "rushing mighty wind," accompanied with a trembling motion of the earth for a considerable extent. It was so considerable, that some removed the glass and earthenware from their shelves to prevent its breaking. In the morning there was discovered on the farm of Mr. J. Sykes, in the north part of the town of Java, a remarkable breach in the earth, extending from Seneca creek, west, across a small flat of a few rods in extent, up the side of a hill, the slope of which was about twenty degrees, making it in the whole to be about forty or forty-five rods in length. It was 20 rods wide at the end next the creek, 13 at the middle, and 16 at the upper end, where the earth was sunk from 25 to 30 feet, while it was raised about 20 feet above the bottom of the creek at its lower end, making the highest point at the creek nearly as high as the lowest depression at the other extremity. The bed of the creek was raised about 20 feet above and carried about 3 rods beyond its former situation. The ground was thrown into ridges from 2 to 10 feet high. A considerable portion of the surface has entirely disappeared, presenting in its stead several strata of different kinds of earth. Trees, stumps and logs were carried 12 or 15 rods. A small grove of timber, some of which was 20 inches through, was carried the above distance, some standing, some broken down, and some torn up by the roots. In some instances, logs and other ponderous substances, that were in contact, were separated six or eight rods, and others before at a distance, were thrown together. There are many conjectures concerning it, but no one can satisfactorily account for it.

A PATRIARCH. Died at Hickory Hill, in Baltimore county, on the 22d inst. Mr. William Thompson. This venerable man, on the first day of February last, had attained the very advanced age of 111 years. He was born in St. Mary's county, Md. spent the greater portion of his life in Frederick county, and moved, last fall, to Baltimore county, where he died. He left eleven or twelve children, the eldest of whom was living last summer, and is believed to be still in existence, at the advanced age of 91—his youngest son surviving is 25 years of age. The subject of this notice was distinguished for his honesty and temperance. He has been heard to say, that in the course of his long life he had never used a gallon of ardent spirits, and had never been intoxicated but once, and then from drawing cider. He never was confined to his house until three days previous to his death, and enjoyed his sight and hearing to the close of his life. He never required the use of spectacles, and as recently as the past summer, walked the distance of two miles to a son's house and back to his home in the same day.

GEOLOGICAL SURVEY. Messrs. Ducatel, Alexander and Tyson, the gentlemen appointed by the executive, in pursuance of a resolution of the last house of delegates, to make a geological survey of the state, reached Fredericktown, on Saturday evening last, on their return from Washington and Alleghany counties. They are now engaged in exploring the neighboring county of Montgomery, from whence they will proceed to Baltimore, and soon after contemplate again visiting our county, with a view to a more extended and minute survey. We learn from them that they have discovered the most flattering indications of great mineral wealth in Alleghany county—and that that heretofore neglected part of the state is probably destined one day to become the Wales of Maryland, yielding inexhaustible supplies of iron and coal.

Various speculations have been for some time on foot in regard to the existence of coal and other mineral products, in the mountains in the vicinity of Frederick, and it is stated that an examination is now in progress in the neighborhood of the Yellow Spring. When Messrs. Ducatel, Alexander and Tyson revisit the country, they will probably endeavor to ascertain whether the expectations of the coal hunters are well founded. [*Examiner.*

A "VENERABLE TURTLE." In the year 1816, Mr. Jonathan Worthington, of West Springfield, found a turtle upon his premises which had "J. W. 1717" marked—evidently cut with a penknife—upon the under shell. The turtle was set at liberty, after examination; and again found in 1823; again in 1828; again in 1829; and a few days since in 1833. The father, grandfather and great grandfather had the same given name with the present Jonathan Worthington, who thinks that the great grandfather marked the turtle. The turtle is of the species commonly called the box turtle, having the upper shell very crowning, and the lower shell flat, with a joint in the centre, with which this amphibious, when alarmed, closes his entire body in his shell in a close and compact manner. The "venerable" gentleman, if the date is correct, must of course be upwards of 116 years old, and is said to be as active as any of the young fry of the same species which is generally to be met with.

"What's all the best on't," the farm upon which the present Mr. Worthington lives, has been in possession of the four several Jonathans, and the "venerable" has always been found within a few rods of the same spot; which indicates that, whatever may have been his observations for the last century, his travels have not been very extensive. *Springfield (Ms.) Journal.*

SANTA FE CARAVAN. Letters from some of our traders, as late as the 20th June, have been received in this city. They were then assembled at the Diamond Grove, about 160 miles from Independence, in this state. On the 19th, an election for officers was held. Mr. C. Bent was elected to the captaincy; Messrs. Legrave, Barnes, Smith and Branch, lieutenants. There were one hundred and eighty-four men belonging to the expedition, and ninety-three wagons, carriages and dearborns attached to it, sixty-three of which were loaded with goods. The company had suffered very much from the badness of the roads, caused by the great rains which had fallen there, as every where else. We have understood, though the letter we have seen does not allude to it, that the traders are under the escort of a company of rangers. [*St. Louis Rep.*

MONUMENT TO CANOVA. Extract of a letter dated Rome, March 8: "Last Monday week cardinal Galeff visited the capital, for the purpose of inspecting the piece of sculpture erected to Canova's memory. The work was enstrusted by the late pontiff to Fabris, the sculptor, who has acquitted himself in a way highly creditable to his talents. On the pedestal of the memorial is sculpture in the act of embracing painting and architecture, and mourning with them over the loss of their favorite. At her feet reclines the genius of harmony, contemplating her stringless lyre. Canova is represented sitting, reclining against a bust of Minerva, but as if on the point of

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rising from his seat, under the inspiration of some sudden conception, which he is desirous of perpetuating with his chisel.

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A NOBLE TAILOR. The great Mr. Stultz, tailor, in Clifford street, who retired to France a few years ago, and was created baron Stultz, died on the 17th November, at his estate called Airca, in the south of France. This estate cost him upwards of £100,000. He had another large estate near Baden-on-the-Rhine. About a year ago the baron sent the emperor of Austria a present of £40,000, to do with it what he pleased, for which present he received in return the order of Maria Theresa, and the patent as count Gothenburg. The baron had great wealth in the bank at Vienna, (Rothschild's). His property, besides these estates, exceeded £400,000.

[*London paper.*

## BRIEF NOTICES.

Commodore Chauncey has arrived in the city of Washington, and proceeded to the discharge of his duties as one of the commissionaries of the Navy Board.

B. W. LEIGH, esq. of Va. has been formally nominated as a candidate for the presidency, by a public meeting at Mecklenburg court house, Va. on the 15th ult. Maj. T. M. Nelson presided at the meeting, and O. Good acted as secretary, the hon. Wm. Mark Alexander made the nomination in a series of resolutions, which were adopted after some opposition.

Clough, the murderer of Mrs. Hamilton, was executed according to his sentence, at Mount Holly, in the state of New Jersey on Friday the 26th ultimo.

On Tuesday night last, the schooner Volunteer, capt. Morgan, was capsized off the mouth of Severn, near Annapolis. The crew were taken from the wreck on Wednesday morning by the schooner Volant, capt. Post, of Staten Island and carried to that city with the vessel, towed in by the latter schooner. One of the hands of the Volunteer, a lad, in consequence of his sufferings on the wreck is not expected to survive.

The "Courier de la Louisiane," of the 13th ult. states that the two steamboats that carry the United States mail between New Orleans and Mobile, have both burst their boilers. "The accident occurred to one in the beginning of the week, and to the other yesterday—we understand the engineer was killed, and two other men slightly wounded. The contractors, we hope, will immediately supply their places."

A Mr McAdams, of Clermont county, Ohio, was married in May last to his fifth wife. The Springfield Pioneer states that he is the father of twenty-seven children.

Mrs. Hazleton, a lady residing in Concord, New Hampshire, has reached her hundredth year, and is represented as being in good health.

The president of the United States left Washington on the 26th instant, in the steamboat Columbia, on a visit to the Rip Raps, for the benefit of his health.

Six thousand five hundred letters were received at the post office in New York on the 22d instant, the whole of which were either delivered or mailed for their place of destination before 5 o'clock in the afternoon of that day.

A man by the name of John Haggerty, who resides in Franklin Place, Philadelphia, stabbed his wife and wife's sister on Saturday last, while under the influence of intoxication. The alarm being given, several citizens rushed in, when Haggerty placing himself on the stairs threatened destruction to any one who should ascend. A young man made the attempt and was wounded in the face. Another seizing the opportunity rushed behind Haggerty and knocked him down with a porter bottle. He was then seized and conveyed, covered with blood, before a magistrate, and committed to prison. The wounded persons were said to be doing well on Sunday morning.

Charles Martin Baker left Philadelphia on the 19th ult. in the 3 o'clock boat, on a visit to Baltimore, in company with a young man named Wilkins to return the Monday following. Wilkins has returned and represents that he had not seen Baker since the evening of the 21st ultimo. The latter is said to have had two hundred dollars with him. He is a native of Marshfield, Massachusetts.

Mr. Amos Kendall has been appointed agent of the government of the United States, by the secretary of the treasury, under the direction of the president, to collect information from the state banks in the principal Atlantic cities with regard to the withdrawal of the deposites from the bank of the United States.

*Melancholy.* Mr. Joseph Ingham, wine merchant of this city, threw himself on Thursday evening the 25th ult. out of his room in the third story in the Tremont house, and fell upon the iron points of the railing on the south side of the building, three of which penetrated his side and and back. He had exhibited for some days symptoms of mental alienation, in which state of mind he must have taken the perilous leap. He was alive last evening, but his situation is extremely critical.

[*Boston Atlas.*

Four prisoners made their escape from the jail in Washington city on the night of the 23d inst. by sawing out a part of the ceiling and working their way through the roof—a reward of one hundred dollars is offered for their apprehension.

An attempt was made yesterday by several of the convicts in the Maryland penitentiary, to effect their escape. We learn that three of them succeeded in scaling the yard wall, by means of a rake which is used for cleansing the sewers. This they fastened upon the rail of the parapet and ascended the handle. One of the men leaped to the ground on the ouside of the prison, but was soon apprehended and returned by the persons in the neighborhood. The other two were taken on the wall, by the officers of the institution.

A valuable *salt spring* has been discovered by boring near Pittsburgh, on the opposite side of the Monongahela river. The depth reached by this process was 627 feet, and the stream of salt water rises to a height of *thirty feet* above the level of the earth, and at the rate of *seven thousand* gallons in 24 hours, of strength sufficient to make twelve or fifteen barrels of salt.

A fire broke out at Ithica, N. Y. on the night of the 14th ultimo. The loss is estimated at from 60 to 80,000 dollars; insurance on the same to the amount of $30,000.

A postmaster in Maine has been fined by the supreme court of that state, $530 for the detention of a letter by one of his clerks.

A package of $8,600 was recently missing from a trunk at Doolittle's tavern, in Boston, when a search took place, and the money found between two beds, where, it is presumed, the person entrusted with it, put it himself for greater safety.

An ingenious piece of mechanism has been invented by young Louis Napoleon Bonaparte, for the firing of artillery. It affords the important advantages of firing the guns in the wetest weather, without priming them, with much greater expedition than usual, and with perfect certainty and safety. Experiments have been made in this country since his arrival, and have completely succeeded.

A visitor at Long Branch, from the city of Philadelphia, lost his life on Monday last, by an act of indiscretion, which we mention as a caution to others. After eating a hearty dinner, he foolishly ran a race from the boarding house to the beach. He immediately stripped, and while in a state of profuse perspiration, went into the surf to bathe. In a few moments he was seized with a cramp in the stomach, and though medical assistance was promptly tendered he died in the course of the day. The individual was Dr. Maugus, a French gentleman.

[*Phil. Gazette.*

The harvest in Ohio is said to be excellent, and that there never was a greater promise of fruit in that state.

It is stated in the Raleigh Register that a saw mill was erected near London in 1633, but was afterwards demolished in order that it might not deprive the laboring poor of employment.

The jail in Detroit has been twice attempted to be set on fire, of late. Suspicion, says the Detroit Courier, rests upon the blacks.

Two young men by the name of James and John Taylor, while engaged in blasting rocks on the 23d instant, at a quarry near Port Deposit, were dreadfully mangled by a premature explosion. James Taylor survived but a few hours, and John is much hurt, though his wounds are not considered dangerous. It is supposed that he will lose his eye sight.

Mr. Parkins, ex sheriff of London, against whom several libel cases were pending in the city of New York, was tried on one of them last week. The damages were laid at $25,000. Mr. P. conducted his own defence and was most profuse in his abuse. The jury returned a verdict of 6 cents damages.

The legislature of Georgia have passed a law, forbidding the employment of any slave or free person of color, as a compositor, (type setter) in any printing office in that state, under a penalty of $10 for every day during any part of which the said black should be thus unlawfully employed.

At Buffalo, on Saturday the 13th, a storm of wind and hail destroyed 10 or 12,000 lights of glass, beside blowing down some old buildings in the suburbs of the town. The weather is said there to be "remarkably cold for the season."

The Mississippi state bonds to the amount of $1,500,000, bearing six per cent. interest, from the 1st of March last, redeemable in thirty three years, have been purchased at 113¼ per cent. by Messrs. Prime, Ward, King & Co., T. Biddle & Co., S. & M. Allen, J. D. Beers & Co. and others.

## FOREIGN NEWS.

*From London and Paris papers of the 14th to 24th of June.*

### GREAT BRITAIN AND IRELAND.

Mr. C. Grant, on the 13th June, brought before the house of commons, in a speech of great length, the propositions of government for regulating the affairs of the East India company.

The following resolutions have been adopted in the house of commons on the bill for the abolition of slavery in the British colonies, the second resolution passed by a vote of 286 to 77.

"1. That immediate and effectual measures be taken for the entire abolition of slavery throughout the colonies, under such provisions for regulating the condition of the negroes as may combine their welfare with the interests of the proprietors.

"2. That it is expedient that all children born after the passing of any act, or who shall be under the age of six years at the time of the passing any act of parliament for this purpose, be declared free: subject nevertheless, to such temporary restrictions as may be deemed necessary for their support and maintenance.

"3. That all persons now slaves shall be registered as apprenticed laborers, and acquire thereby all rights and privileges of freemen; subject to the restriction of laboring, under condition for a time to be fixed by parliament, for their present owners.

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"4. That, towards the compensation of the proprietors, his majesty is enabled to grant to them a sum not exceeding £20,000,000 sterling, to be appropriated as parliament shall direct.

"5. That his majesty be enabled to defray any such expense as he may incur in establishing an efficient stipendiary magistracy in the colonies, and in aiding the local legislatures in providing upon liberal and comprehensive principles for the religious and moral education of the negro population to be emancipated."

*House of lords. East India charter.* Lord Ellenborough inquired how the question on the above subject was to be introduced to the house?

Earl Grey—by means of resolutions.

Lord Ellenborough then inquired if a similar course was to be pursued respecting the West India measure?

Earl Grey said resolutions had already been proposed in the other house, and that a bill founded thereon would follow.

The house, on the 12th of June, went into committee on the Irish tithe act, when lord Althorp proposed a resolution to the effect that an advance should be made to the clergy of Ireland, in lieu of all arrears of tithes to 1831, 1832 and 1833, and that the money should be repaid by a land tax on those lands for which the tithes were in arrear.

The plan of the government as stated by the chancellor of the exchequer, with regard to the tithes in arrear, is to stop their exaction to grant a sum of money to the clergy in lieu thereof, which is to be repaid to the government by a tax upon the land liable to the payment of tithes, but which have not been paid. This will shift the burthen from the tenant to the landlord. Sir Robert Peel took part in the discussion, as also did Mr. O'Connell, of course. The first proposition submitted by lord Althorp was agreed to, and the debate upon the other resolutions was adjourned over.

"It is said that his majesty, as the head of the church, has addressed a strong letter of remonstrance, through the archbishop of Canterbury, to the bench of bishops, and especially to the six or seven, who distinguished themselves by their vote on the Portuguese question, relative to their conduct under the present critical circumstances of the nation, expressing his surprise that they should expose themselves to the imputation of acting from selfish and worldly motives, sacrificing all claim to the respect of the religious community, and exposing the church to the danger of losing its influence, by their being ultimately driven by the power of public opinion from their seats in parliament, if their votes, as spiritual peers, were not regulated by more discretion and attention to the signs of the times!"

It is stated in the London Times that the tory peerage, aided by the bishops, will make another attempt to overthrow the Grey ministry by defeating the Irish church reform bill, which it is feared can only be defeated by the creation of new peers, as the majority of the tory party in the upper house cannot amount to less than fifty. The king is said to be averse to this measure.

Mr. O'Connell had given notice that he should bring forward a motion for the repeal of the union.

On the same day, on the second reading of the duke of Richmond's Quakers' and Moravians' affirmation bill, the bishop of London took occasion to make some remarks upon the want of solemnity in the administration of oaths in that country, and the unnecessary use of those solemn obligations. The right rev. prelate said that he considered that nine-tenths of the municipal oaths ought to be abolished, and a simple affirmation substituted; he also objected to administering oaths to persons not of age, except in judicial cases, and he gave notice of his intention to direct the attention of parliament to the subject in the next session.

The lord chancellor and lord Bexley fully concurred in the views of the bishop of London.

In the house of commons, Mr. Tennyson gave notice of his intention to move a call of the house on the 2d of July, to take into consideration the expediency of triennial parliaments.

Mr. Ewart, on the same day, presented a petition from the merchants and ship owners of Liverpool, praying for the removal of all restrictions upon the importation of sugar for the purpose of refining. The petitions stated that the exports of British manufactures and produce to Brazil, St. Domingo, Cuba, &c. exceed by five fold those to our West India colonies, with a field for unlimited extension, whilst our imports admitted to consumption from those countries do not amount to one fourth the value of our exports. The petitioners estimated the loss to the revenue and commerce of the country by the present restrictive system, of bounties actually paid out of the treasury, by indirect taxation, by the restraint upon the consumption, and upon the extension of commerce and manufactures, at fully £5.000,000, annually.

Mr. Freyer moved for leave to bring in a bill to repeal the corn laws. He was seconded by Mr. Hume. The motion was rejected by a majority of 25.

*London, June 24.* The state of the markets for the principal staple articles of trade and commerce, is exceedingly favorable, and prices have generally advanced. The spirit of speculation and confidence in the future condition of trade has revived, and business to a great extent is doing in nearly all the articles.

*Cotton.* A week of heavier business has not occurred in the Liverpool cotton market for some time. On one day 10,000 bags were sold. We are not authorised, by any communication we have seen, to state that they are overrunning business in the manufacturing districts, but we apprehend that to be the case, and are desirous therefore of throwing out a warning hint upon the subject, because we think the extraordinary activity of the cotton market would not continue, if manufacturers were paying due attention to the demand.

Ireland still remains in a highly excited condition on account of the collection of tithes, and in many instances of late the civil authority have found it necessary to call in large detachments of the military to their aid.

FRANCE.

Prince Talleyrand had sold his splendid collection of paintings preparatory to his leaving London for Paris, which was to have taken place on the 20th of June. It was confidently believed that he would not return again as ambassador.

The duchess of Berri had been liberated and taken her departure for Palermo, accompanied by general Bugeaud, a nurse and her child.

In France a discovery has been made of the existence of a *secret tribunal* of the most appalling description, and which seems to have been formed on the model of the *sacred vehme* of Westphalia. It was instituted by the Italian refugees in France, and has led to the most horrible assassinations. It serves to shew that the friends of Italian freedom, like the friends of liberty every where else, are injured and discredited by weak, furious and unprincipled partisans.

At the sitting of the chamber of deputies on the 18th ult. M. *Benjamin Delessert* said that he was charged by the committee, and intrusted with the examination of the bill relative to the treaty with the United States, to express its regret that the late period of the session at which the bill had been presented, and the numerous important points involved in the examination, rendered it impossible to make the report this session: but the committee was most anxious that a treaty should be terminated which preserved the commercial relations so highly important to the interests of such old allies as France and the U. States.

Gen. Lafayette thus spoke:—The rapidity, gentlemen, of our work, and the sentiment of a double duty, impel me to say a few words. An American treaty (exclamation from the centre) was laid before you, with the speech from the throne at the commencement of the session. I do not mean to dwell upon the various causes of delay that have supervened, but will confine myself to what was presented to you the other day by the minister of finance. I will not either, gentlemen, expatiate upon the sentiments of national honor and justice, or of what is becoming towards a friendly nation—the only one, which, in 1814 and 1815, did not unite with our enemies; and if she had done it, be it said in passing, her claims would long since have been liquidated, as were those of all hostile powers. I will add, that if she had even consented that a third power, England, for instance, should take charge of, and urge these claims, every thing would have been settled long ago; but she would not present herself as an enemy, and preferred to wait till she could, as a friend, urge her claims. Nor will I enlarge upon a great interest, the greatest of our maritime interests, that of the liberty of the seas, though, as we cannot place any great reliance upon that coalition which occurred during the American war, between the squadrons of Russia, Spain, Holland and our own, I think that a union of our naval forces with those of America, without meaning to prejudge possible circumstances, is the true plan of securing the liberty of the seas. I will merely occupy your attention concerning a commercial interest of great urgency.

I regret that our honorable colleague, M. Pulcheron, is not here, as he might repeat to you the estimates he made for me the other day. The city of Lyons alone (I cite but a single example) carried on with the United States a commerce of 55 millions of francs: Since the treaty made by the good will of the United States, this commerce is worth 80 millions, and it will be 100 millions by the 1st January next. I might also speak of what the chamber of commerce of Havre has written to one of our colleagues; I might dwell upon the interests of the wine growing departments: but I confine myself to the single observation, that if the treaty is not decided on at this session, it is to be feared that at the meeting of the American congress in December next, measures may be taken, in view of the neglect on our part, to replace things where they were before the treaty. I leave you to judge of the inconvenience of such a course to our commerce.

With these short remarks, which the minister of foreign affairs would, if he were present, sustain, as not long since he told me he would, I will merely reply, in advance, to one objection that may be made, that in this matter I speak as a *good American*. Gentlemen, that is a title of which I am proud—it is a title dear to my heart—but no one, I imagine, will allege that I have ever been a *bad Frenchman*.

I ask, therefore, that this question may have an early place in the orders of the day, so that you may discuss it before the close of the session; and my advice, if I may be permitted to use such a term, is, that after such examination as is proper, the great interests above alluded to be not lost sight of.

The minister of foreign affairs said that the government was most anxious for the immediate discussion and adoption of the treaty. The delay in presenting the bill to the chambers arose from the difficulty of collecting all the documents necessary for the elucidation of a treaty by which a final adjustment was made of transactions extending over a period of more than 20 years. Even now, some of these documents had not come over

from America, but he hoped before the next session the committee would be in possession of every information.

Count Jaubert considered that it should not be allowed to go forth to the world, and particularly to the United States, that the chamber was prepared to adopt blindly a treaty involving the payment of so large a sum of money as was to be paid to the United States. The interests of the country required that every point connected with the treaty should be minutely examined, and from the feelings of distrust which the provisions of the treaty had excited in many members of the chambers, he had no doubt it would be so.

M. Mouguin animadverted on the absurdity of supposing that the chamber or the committee could have formed any decided opinion on the subject, when the minister himself had just told them that all the necessary documents were not collected.

The minister for foreign affairs observed that all the most important documents were in the hands of the committee. Those which were to come would be useful as explanatory documents, but were not of primary importance.

Other hon. deputies demanded to be heard, but the chamber, which had for some time shown strong marks of impatience at this episodal discussion, called loudly for the order of the day.

The president said that as no question was before the chamber, the discussion could not be allowed to be carried further; the constitutional right of the chamber was perfectly understood; no treaty which required the assent of the legislature for the means of carrying it into execution could be considered as even provisionally susceptible of being carried into execution until that assent was given. The question was, therefore, entirely open, and nothing which had passed could prejudge the opinion which the chamber might hereafter come to on the treaty. (Applause.)

The chamber then proceeded to the discussion of the budget of ways and means for the year 1834.

In the session of the chamber of the 10th, gen. Lafayette took occasion to complain of the continuance of the *slave trade*, even under the protection of the tri-color flag.

The minister of the marine replied, that since 1830, not a single instance had existed of the French flag having covered the slave trade; but Spanish and Portuguese vessels, engaged in the slave trade, had disguised themselves under French colors, in order to avail themselves of the exemption enjoyed by French vessels from the search of English men of war; but this would not again occur, as with the express object of putting an end to the slave trade, a new convention had been made between France and England, for the mutual right of search in certain seas.

A statue of Napoleon is about to be erected upon the column in the Place Vendome, formed of the cannon taken from the enemy in his victorious campaigns; and the workmen are already engaged in raising the scaffolding.

SPAIN.

A private letter from Madrid states that in consequence of a discovery that the troops and civil authorities in Cadiz being devoted to the queen's party, the garrison of the city had been suddenly changed, and the persons appointed to office by the queen suspended. It was also stated that a Spanish army to co-operate with that of Don Miguel had been ordered to be collected on the frontiers of Portugal.

HOLLAND AND BELGIUM.

At the opening of the chambers on the 7th of June, the king of Belgium announced from the throne that events of great importance to Belgium had taken place; that France and England, according to their engagements had taken possession of the fortress which threatened one of the finest Belgian cities. That a convention had been concluded by the same powers which would put Belgium in possession of the greater part of the advantage attached to the treaty of the 15th of November, without taking from her those portions of territory, the separation of which would be always felt as a painful sacrifice. He would take care that, in the arrangements with Holland none of the rights of Belgium should be infringed.

A partial disarming was to take place, so as to diminish the expenditures without weakening the organization of the army. He announced that the government would now be able to direct unremitting attention to the internal melioration of the country—to the fostering of its manufactures and commerce.

He also stated that he had obtained from the United States the most favorable stipulations for one of the most important branches of manufacture.

The government had felt the necessity of giving a new impulse to the public works, and he commended a plan to the chambers for a grand communication from the sea and the Scheldt to the Neuse and the Rhine.

Accounts from Rotterdam state, that great preparations are making there to receive the prisoners coming from France. King William and all his court will be present to welcome their return.

From Brussels, advices have been received to the 22d of June. Among the topics of discussion was the appropriation of money to construct an iron rail-road, to commence at Malines, (which is between Brussels and Antwerp,) and directed to Verviers by way of Louvain, Tirlemont and Liege, with branches to Brussels, Antwerp and Ostend. For this purpose it was proposed to contract a loan of eighteen millions of francs.

PORTUGAL.

A letter from Valtango of the 30th of May states, that the batteries had almost incessantly continued to fire upon the city of Oporto since the 16th, which had suffered considerably. Desertions were frequent from Don Pedro's army, chiefly Frenchmen. The fort of Ervilho had been completely silenced. Don Pedro had dismissed twelve officers and two quarter-masters from the marine brigade. The marquis of Palmello and Mr. Mendizabel had reached Oporto with reinforcements for Don Pedro's army. Captain Napier had arrived to take command of the fleet. It is stated on what is called a respectable source, that a very satisfactory understanding exists between the king and earl Grey on the subject of Portugal, and that in the event of the constitutional forces marching on Lisbon, they will meet with a degree of support from this country which was hardly to have been expected, considering the difficulties with which the agents of Don Pedro had to contend here, owing to the conviction on the minds of ministers of the hostility of the majority of the house of peers to the constitutional cause of Portugal. Arrangements have, we are informed, been already made to secure the pacification of Portugal. They are dependent, it is true, on certain contingencies, but little doubt is entertained on the subject.

Despatches had been received at Paris from Madrid by the government, apprising it that the king of Spain has refused to acknowledge Donna Maria, the queen of Portugal, although the cabinets of Paris and London had put this condition to their consent to the abolition of the salique law, and to their acknowledgment of the princess of Asturias, as heiress to the throne of Spain. In consequence of which, the envoys of France and England would protest against the holding of the cortes, and against the violation of the rights of those which it would consecrate.

RUSSIA.

The czar received that portion of his troops, at Dunaberg on the 31st, which were under the command of count Pahlen. He has also visited a number of fortifications that have been recently erected. The numerous new public buildings in St. Petersburgh are proceeding rapidly. But no works of art—no splendid dome, or costly towers, can relieve him from the execration which his conduct has justly drawn upon him, in relation to the Poles.

A letter from Warsaw, in March, states, that by order of the czar, prince Paskewitsch has declared to respectable mothers (now bereaved of their sons) that should they be discovered to have written to their exiled children, they would be publicly whipped in the public market place.

AFFAIRS OF THE EAST.

It is stated from Constantinople, May 28th, that Ibrahim pacha has really commenced his retreat, and preparations were making in the Russian camp which indicated the speedy withdrawal of the troops. The official news that the Egyptian army had actually commenced its retreat, arrived at the Turkish capital on the 27th. The reis effendi immediately communicated it to the foreign ambassadors, and count Orloff repeated his declaration that the Russian army should retire so soon as he was certain that the Arabs really had retreated.

## TOMB OF KOSCIUSKO.

*From the Swiss Patriot.*

*Soleure, Switzerland.* At a short distance from Soleure, on the high road to Lucerne, is situated the village of Zukwill. It is there, in the vicinity of a chapel, that repose the remains of Kosciusko.

Kosciusko! At this revered name Poland should arise and threaten the tyrants oppressing the land of liberty. At this very name the glorious achievements of a great general burst on our minds.

On the 3d of May, 25 Poles proceeded from Soleure in military procession to Zukwill, to prostrate themselves at the altar of the Almighty, to salute the ashes of an illustrious countryman, and to celebrate the anniversary of the constitution granted on the 3d of May, 1792, to the people of Poland.

The sun gave the light of its glorious rays to the noble remnant of a nation as illustrious as unfortunate.

The hospital chaplain, M. Saaner, was at Zukwill to give his pious assistance to the noble refugees.

The religious ceremony over, the Poles left the temple, and knelt before the tomb containing the ashes of Kosciusko. It would be difficult to describe the solemnity of the scene on seeing the heroes of Grochen and Ostralenky bathing with their tears the stone containing the ashes of the hero of Poland, and swearing to march in his footsteps. Perhaps at that very moment the vile slaves of despotism were insulting with their sardonic grin the unfortunate Poles who, on the borders of the Frozen ocean, are painfully eating the bread of slavery.

A Polish officer, in his mother tongue, briefly mentions the deeds performed by Kosciusko in behalf of his country, and gives out that noble warrior as the model they are to imitate. "Poland," says he "is not yet annihilated; wheresoever beats a Polish heart, still exists the nationality of Poland." He then, in French, stated his satisfaction at being able to speak of liberty in the land of freedom; and to offer, in the name of his countrymen, his thanks to a nation that has given them welcome and entered into their pain and suffering. And—like the people who always turned their eyes towards Sion—the children of Poland turned their faces towards the north, and saluted their country from afar.

An inhabitant of Soleure replied to this speech; he expressed the wish of the Swiss population: union, fraternity, liberty and

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devotedness for those who have shed their blood in the defence of freedom.

Thus terminated a ceremony which affected deeply the numerous spectators it had called together.

## THE BRITISH WEST INDIES.

We insert below a table showing the population, with the annual amount of produce and of the exports and imports, of each of the British West India colonies, drawn from documents laid before the British parliament. It will be apparent from this statement, how completely the produce, and consequently the property of these islands is dependent on slave labor. The number of slaves is nearly ten times that of the white population, and the colored persons out number the whites in the proportion of one and a half to one. [*Boston Daily Adv.*

A STATEMENT

*Of the population, produce and imports and exports of the British West Indies, compiled from official document:*

| Islands. | Whites. | Colored. (Free.) | Slaves. | Sugar. | Coffee. | Rum. | Value of exports to Great Britain. | Value of imports from G. Britain. | Tonnage employed. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Cwt. | Lb. | Gallons. | £ | £ | Tons. |
| Antigua | 2,000 | 3,000 | 30,000 | 169,000 | — | 160,000 | 270,000 | 115,000 | 9,800 |
| Bahamas | 4,200 | 3,000 | 9,300 | — | 32,500 | — | 21,000 | 59,000 | 1,400 |
| Barbadoes | 15,000 | 5,100 | 82,000 | 322,000 | — | 27,000 | 542,000 | 360,000 | 17,200 |
| Berbice | 550 | 1,150 | 21,300 | 122,000 | 1,565,000 | 220,000 | 371,000 | 74,000 | 7,800 |
| Bermuda | 3,900 | 740 | 4,600 | — | — | — | 4,600 | 60,000 | 600 |
| Demerara | 3,000 | 6,400 | 70,000 | 737,000 | 1,940,000 | 2,320,000 | 1,627,000 | 450,000 | 55,000 |
| Dominica | 850 | 3,600 | 15,000 | 56,000 | 613,000 | 63,000 | 150,000 | 16,000 | 3,000 |
| Greneda | 800 | 2,800 | 24,000 | 186,000 | 6,000 | 330,000 | 338,000 | 79,000 | 12,400 |
| Honduras | 250 | 2,300 | 2,100 | — | — | — | 222,000 | 572,000 | 11,200 |
| Jamaica | 37,000 | 55,000 | 323,000 | 1,396,000 | 15,460,000 | 3,506,000 | 3,653,000 | 1,800,000 | 86,000 |
| Montserrat | 330 | 800 | 6,200 | 26,000 | — | 41,000 | 33,000 | 8,000 | 1,300 |
| Nevis | 700 | 2,000 | 6,600 | 50,000 | — | 150,000 | 60,000 | 14,000 | 2,000 |
| St. Kitts | 1,600 | 3,000 | 19,200 | 102,000 | — | 257,000 | 203,000 | 70,000 | 6,200 |
| St. Lucia | 980 | 3,700 | 13,600 | 50,000 | 83,000 | 12,000 | 149,000 | 32,000 | 5,300 |
| St. Vincents | 1,300 | 2,800 | 23,500 | 222,000 | — | 160,000 | 395,000 | 82,000 | 14,400 |
| Tobago | 320 | 1,200 | 12,500 | 121,000 | — | 500,000 | 165,000 | 41,000 | 6,600 |
| Tortola | 480 | 1,300 | 5,400 | 16,000 | — | — | 25,000 | 3,000 | 1,300 |
| Trinidad | 4,200 | 16,000 | 94,000 | 241,000 | — | 62,000 | 355,000 | 200,000 | 22,200 |
| Totals | 77,460 | 113,890 | 692,700 | 3,816,500 | 19,769,500 | 7,808,000 | 8,063,000 | 4,035,000 | 263,700 |

## THE GLORY OF *THE* CHURCH.

The following, from a late English paper, is not over colored. But the English church is not worse than other established churches, in its principle, though more onerous in its operation, but yet more tolerant—provided always, the pecuniary requisitions are duly complied with!

MODERN BISHOP OF THE ESTABLISHED CHURCH OF ENGLAND. - But what are the labors, watchings, fastings, perils and difficulties of our baron-bishops? These holy men, perhaps, pass many a sleepless night in the first stage of their exaltation, by what possible means they may escape from Llandaff or Bristol, or some other poor see, with which they find themselves disagreeably saddled. By dint of voting and jobbing in the house of lords, the successor of the apostles finds his prospects bright en a little; for, after infinite exertions of soul and body, he is translated to Exeter, peradventure; whereby his apostolical pocket is replenished with a greater number of orthodox guineas. But not in Exeter is the godly man at ease; he is smit with a love of multiplication, and letter after letter is written to his patron and the minister, urging the necessity of a more advantageous translation. In the course of time Winchester or Durham is vacant—then do all the eagles gather together to the carcase; loud are the screams of the apostolical vultures, and the dismay of the first lord of the treasury, to know how to satisfy so much pious voracity; at last, after undergoing the threats of a dozen great lords, each eager for his own client, the premier makes selection of the hero of this picture, and crowns his hopes with twenty-five thousand pounds a year, and all the gorgeous dignities of the Durham episcopacy. After this, surely the man of God is contented at last? By no means, he has sons and daughters not a few, and nephews very numerous. For all these there must be accumulated a store of good things full of marrow; the eldest son is to be the head of the family; for him, therefore, the parliament and the regular course of parliamentary jobbing is open; but for his younger brothers the church must open her nurse-like arms, and pour upon them a shower of benefices. My lord bishop speedily sends forth from his liberal urn a deluge of golden prebends, livings, arch-deaconries, residentaries, precentorships, chanceries, sub deaneries, perpetual curacies, fellowships, masterships and vicarage.

Bishop Tomline bequeathed seven hundred thousand pounds to his family, already well enriched with episcopal munificence.

## BRITISH WEST INDIA TRADE.

Though there is nothing really new, or extraordinary, in the facts stated below—(for every one who knew any thing about the matter knew that they would happen), we give them a place; only requesting that our readers will refer to what we said about the "recovery of *the* West India trade," at the time when it was "*recovered!*"

*From the New York Daily Advertiser.*

We had occasion a few days since to notice this subject; since which we have had an opportunity to become acquainted more particularly with facts, and find that the injury done to American commerce, is much greater than we apprehended, owing to the great facilities afforded to the provinces. It is a fact that English vessels are constantly arriving here, from the British West India Islands, with rum, molasses, &c. which they discharge, and take in return cargoes of beef, pork, flour and other articles, *proceed to Yarmouth, Halifax or any other port in the province, lie along side of the wharf twenty-four hours* in some cases, roll out a few barrels into store, give a nominal bond that the cargo shall be landed in a British island, and then proceed on their voyage of destination, where they discharge their cargo *free of all duty*. It is estimated that the detention by taking this circuitous route is not on an average more than ten or fifteen days longer than to proceed direct from this port. The extra expense would be on a vessel whose disbursements are 400 dollars a month, for 15 days, 200 dollars; to this may be added some little extra pilotage, and perhaps help, half per cent. extra premium, which, on ten thousand dollars, would be fifty dollars. The whole difference may be set down at three hundred dollars. An American vessel of one hundred and sixty tons burthens, will take about fifteen hundred bbls. say five hundred bbls. of beef, five hundred of pork, and five hundred of flour. The duty on beef and pork in an English island is stated to be five dollars a barrel, making five thousand dollars; the duty on flour, calculating the difference of currency, one and a half dollars a barrel, or seven hundred and fifty dollars; making the whole duty on these articles alone, which is a very moderate cargo, five thousand seven hundred and fifty dollars, which must be paid by the American bottom. The British cargo is admitted free of duty, consequently pays nothing, and is subject only to the before mentioned detention of about fifteen days, which may be set down, as before stated, at about three hundred dollars.

| | |
|---|---|
| Thus the American vessel would have to pay | $5,750 |
| British | 300 |
| Difference | $5,450 |

Now every one who is familiar with the trade, knows that this difference alone is a much greater profit than is usually made in a West India voyage. In fact the British vessel would be making a handsome business, if she cleared $2,450 a voyage, while the American owners would be loosing three thousand dollars a voyage. We have taken a vessel of one hundred and sixty tons, when it is known that much larger vessels are engaged in the trade, we have also taken these articles when it is well known that many more might be enumerated. We have, however, taken a case within compass for the sake of being easily understood. Is it at all surprising that the number of British vessels arriving here is constantly increasing? Is it at all surprising that the trade has nearly all passed into the hands of the British merchant. How can it be expected to be otherwise. Can American industry, enterprise and skill, pursue a trade against all these disadvantages? We presume no one will pretend that it can be done.

If we take another view of the case it is equally fatal to the American interest. Formerly the large British West Indiamen went out from England to the islands in ballast, depending on return cargoes of sugar, rum, coffee, &c. On the voyage out, as the vessels were empty, they earned no freight. Now the vessels come out to Nova Scotia, with passengers and some bulky articles which earn a fair freight, then take in a cargo of Picton or Sidney coal for New York, and thereby earn a second freight; here take in a cargo of provisions, touch at the provinces, and proceed to the islands; or take in a cargo of lumber and proceed direct—thereby earning three freights, where they formerly got nothing, and then be at the desired port, ready to take a home cargo at a high rate. Whichever view we take of it, wherever we turn, we see the American vessels entirely and effectually cut off from a trade which has the name of being free and reciprocal.

In the first commencement of this trade, before the route was taken to the provinces, for the purpose of turning good Duchess county pork into pork raised in the provinces, merely by a ces-

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tificate, and when provisions were taken from here, and the duty paid, the British vessels in part, after earning two freights from England, and being on their way out to the islands, began to take freight at 50 cents a barrel, and even 35. The consequence was, that our own vessels, unable to carry freight out and home for 25 cents a barrel, were driven immediately out of the trade, and have never returned to it. They could not compete with vessels which had earned two freights already, and had a high freight waiting for them for England the instant they reached the islands.

How differently did this trade stand before this arrangement. Then, although the trade was prohibited, the American vessels *enjoyed the whole* without any interruption. As the vessels of neither country could go direct, and as there was no diminution of the consumption of American flour, lumber, provisions, fish, live stock, candles, soap, &c. &c. in the British islands, and as they must be had somewhere, then these articles were all carried by American vessels to St. Barts, St. Thomas, and other neutral islands in the neighborhood, and reshipped in drogers to the different British ports. It was found by official returns that the exports were as great as they ever were, and it was also proved that we were in the full and entire enjoyment of the carrying trade. It is now proved, beyond all controversy, that this valuable commerce is wholly or nearly lost.

## DUTIES ON IMPORTATIONS.

At this season of leisure, we shall present some extracts from a document to which we have once or twice referred, being statements of the merchants to shew, THAT THE INCREASE OF THE DUTIES IMPOSED BY THE TARIFF LAW OF 1828 HAD NO EFFECT TO INCREASE THE PRICE OF GOODS IMPORTED! This was a *beautiful* confession from the merchants! It established our whole theory, concerning this matter—that increased duties do not necessarily increase the price of commodities, nor diminished duties necessarily diminish prices. And the fact, at present, we believe, exists—that every leading article, the duty on which was reduced by the act of 1832, now bears a higher price, in the market, than it did at this time last year. We shall revert to this subject on some future opportunity. The "philosophers" may speculate about these things as they please. We are *practical*, and are content with the facts as they have occurred, *and will happen*.

The document before us is No. 13, of the 22d congress, 2d session, and contains 24 large 8vo. pages. We have selected all the letters and statements that bear directly upon the plea of the importers—that *they*, and not the *consumers*, paid the extra duties imposed by the law of 1828! And a law was passed for their relief, the drain of which on the treasury is yet to be unfolded. We understand that the amount claimed is an "awful" one!—that it has been heaped up into a good many millions of dollars. "*Nous verrons!*"—"*nous verrons!!*" "*nous verrons!!!*"

TO EXEMPT MERCHANDISE FROM DUTIES.

*Dec.* 14, 1832. *Printed by order of the house of representatives.*

Mr. *Verplanck*, from the committee of ways and means, presented the following documents on the subject of the bill "to exempt merchandise imported under certain circumstances," &c. No. 619.

*Copy of a letter from S. D. Bradford to Samuel B. Barrell.*

*Boston, 24th January,* 1832.

*Samuel B. Barrell, esq.*

MY DEAR SIR: I have lost no time in presenting your letter of the 17th to captain Rich, and the other gentlemen, whose claims you have been selected to represent, and several have promised to address you. I enclose two letters by this post, and may, perhaps, at a future time, write you more fully upon the subject mentioned in yours. I am not a little surprised that any person who was connected in any way with the home or foreign business, should think of resisting our claim, *on the ground that goods rose after the tariff of* 1828 *passed; and that, in this enhanced value, the importers were partly indemnified for the loss sustained by the sudden increase of the duties.* All persons who were in trade in 1828, will testify that it was a year of very great depression in the price of domestic and foreign goods, *and that nearly every article on which the duty was raised on the 30th June, rather declined than advanced in price.* My house are large operators, and our commercial connexions are extensive with Great Britain, Russia and India; and we imported freely in 1828, and can truly say, that every article we imported was actually worth less to us after the 30th June, than in the previous year, 1827, under the old duty; and we had to sell nearly all the woollens we received, after the 30th June, at a heavy loss, as also our Russian goods, at cost or under. Many of the latter we exported or sold at under prime cost to exporters, whereas we should have made on our 700 pieces of ravens duck $1,050, had not the duty have been increased. We would apply the same remark to *broadcloths, flushings, plains, kerseys, vestings, serges, flannels, and nearly every other article on which the duty was increased.* We can prove this by our books, if called upon, and so can others who claim under your direction; but, as for congress ever being able to pass an act which cannot be executed without going into all these calculations, such an undertaking would be interminable and impracticable, and I should consider it as doing nothing. No plan will answer, or can be executed, which does not include, generally, the cases of all such as ordered goods previous to 1st May, or whose partners or agents ship them, not knowing that such a bill had passed, and which said goods arrived before 1st September, 1828.

The bill reported last year would meet my case, and that of most others, very fairly. I should like the wording a little altered, (as I once before said to you, and I gave the words I would substitute), as I think much doubt will be raised as to its real meaning. If a partner or agent in England, or Russia, or elsewhere, sent out goods to his house here before he knew the tariff had passed, or would pass, the duties on such goods should be given up, and they should be viewed as goods "ordered" from this country. Any bill proposing to return only a part of the extra duty, would be impracticable and unjust: the whole should be returned, no matter even if the goods had risen instead of having fallen. Why favor the importer of other kinds of goods? The importer of iron, knowing that the duty on that would rise on the 1st September, would of course, avail himself of that fact, provided any advance could be had; but no advance has taken place on iron or any thing else, as you will see by reading Henry Lee's report on the article; *and the doctrine of Mr. Niles was, for once, verified, that laying a high duty often lowers the price of an article, and reducing the duty increases its value.** I hope, therefore, there will be nothing in the bill about "satisfying the secretary" about loss sustained. The mail is closing: I will write more fully in a few days. Yours, dear sir, very truly,

S. D. BRADFORD.

*Extract from Mr. Bradford's letter of January 28th,* 1832.

"Nothing can be more certain than that the extra duty laid in 1828 came, nearly all of it, *out of the pockets of the importers.* Some cases may have arisen, where some kinds of goods, sold, after the tariff was passed, higher than before; and certainly if this had not been the case, many importers would have lost half their capitals: but the advance was on articles on which the extra duty amounted to an increase of 40 and 100 per cent.; and it may be truly and safely asserted, that in all such cases the advance realized was only a fractional part of the extra duty imposed. Take, for instance, the article of English flannels, and suppose an importer to have received a bale on the 30th June, 1828, of 20 pieces, costing £45 sterling in England; the duty under the tariff of 1824, on this bale, (being 33⅓ per cent.) would amount to $73 26; by the act of 1828 the duty would have been $207.

"Now suppose the importer did realize, in July or August, 1828, 5 and 10 per cent. advance more on flannels than he would have done if the duty had not been increased, still is not his loss very heavy? It would amount to the difference there is between $207 and $73 26, (less the small advance obtained) and the profit he would have obtained on the sales of this bale, provided no extra duty had been imposed, and these two items will amount to more than the difference between the old duty and the new, which we claim to have refunded. In like manner, I could illustrate the same fact in many other articles. This country consumes largely of an article called "bockings," well known to the New England people, (Mr. ——'s assertion to the contrary notwithstanding), and many bales of this article were annually imported, costing, in England, 6*d.* per yard; the duty by the tariff of 1824, was 4½ cents per yard, and 22½ cents per yard by that of 1828; but I need not enlarge on this subject."

*Letter from Benj. Rich and Son, in reply to S. B. Barrell's letter to Mr. Bradford, of January 17th.*

*Boston, January* 23, 1832.

DEAR SIR: Your letter to Mr. Bradford of 17th is before us, and in relation to that part where it is said that the articles rose in price in proportion to the additional duty, and that the consumer paid it, we can answer for ourselves, most decidedly, that every article we imported from Russia rather declined than rose: clean hemp, which we had been selling at $225, we were obliged to take $220, or not sell at all; and ravens duck, on which the duty was increased upwards of four hundred per cent. we could not obtain for it any higher price than before, and were obliged to export it, and work in every way possible to save ourselves, and, finally, had to submit to a loss on an article which we had previously made a fair mercantile profit. This we know to have been the case on many other articles, particularly *wool*, and some woollen goods. There is no better reason why congress should admit our claim, than that it was evidently their intention to have extended the time to the first of September on all articles the same as they did on iron.

*Letter from Windsor Fay, in reply to S. B. Barrell's letter to Mr. Bradford, of January 17th.*

*Boston, January* 24, 1832.

SIR: Mr. Rich has shown me a letter from you, requesting information to prove that the tariff did not cause a rise on the imported article equal to the additional duty; and I am happy that the facts in the case fully warrant the assertion that, in wool, the importer could not realize even the price at which it had before sold. I have before me sales by Whitewill, Bond & Co. of Smyrna and Adrianople wool, in December, 1829, at 12½ cents per lb. at which price the sale was stopped, and the lot afterwards closed at private sale at 11 cents; whereas the price of these wools, previous to the tariff of 1828, had been 14 and 15 cents, and the additional duty imposed by the tariff was about 5½ cents. The sale of wool to which I have referred, was among the first public sales of wools after the passage of the tariff: as there was hardly one bale of wool sold in this city

* This does not express our ideas—*price* and *value* are not synonymous terms, except on a merchant's book. ED. REG.

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for nearly or quite a year, of course I refer to imported wools of Smyrna and Adrianople. Your obedient servant,

WINDSOR FAY.

*S. B. Barrell, esq. Washington.*

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*Extract from Mr. Bradford's letter of February* 11*th*, 1832.

"We are gratified, but not surprised, that the documents which have been transmitted to you, *to prove the decline in the value of goods in* 1828, have produced conviction upon the minds of those who have perused them. No person who was engaged in commercial pursuits at the time, can doubt for a moment that all the statements which have been submitted to prove the decline in the price of imported goods, *after the passage of the act of May*, 1828, *are literally and strictly true.* We cannot turn over a price current of that year, which does not confirm it; and the losses which the foreign merchants sustained were neither few nor small. How, indeed, could it be otherwise? The new duties imposed, amounted, in many cases, to an increase of 80 *a* 125 per cent. above the old duty, and were prohibitory; so that no person has imported a bale of those articles since 1828.

"We are very sorry to find that any gentleman should have come to the conclusion, that the decline in the prices of goods in 1828, arose in consequence of 'overstocked' markets; and that the cause of this overstock was 'an expectation,' on the part of the merchants, that the duties would be increased; and that increased orders were sent abroad for goods in consequence of this expectation. *The very reverse of this is the fact.* The imports in the summer of 1828, and in the autumn of that year, were *not* large by any means, nor upon an increased scale; and it is a well known fact that very few persons believed that the tariff act of 1828 would pass, until they read its passage in the public prints of the day; and we are confident, that if any person believed it would pass at all, there was *not a merchant* in this country, who ever conceived, for a moment, that it would commence its action at once. All supposed that four to twelve months would be allowed for the merchants to prepare for so great and sudden a change, as had been done upon all previous occasions.

"We are pleased to find that Messrs. Lewis & Co. have forwarded to you the documents which we requested them to send. We could send you twenty more affidavits from this city, should it be deemed necessary; and as many more from New York; but we cannot think it expedient to multiply documents which may not be required. If, however, you are of a different opinion, we will forward you any number for which you may write to us."

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*Affidavits of sundry merchants of Philadelphia, showing a decline in the prices of goods subsequent to the passage of the tariff of* 1828.

[One of these affidavits is sufficient—all the rest respond.]

*Philadelphia, February* 2, 1832.

I, Thomas C. Rockhill, of the house of Thomas C. Rockhill & Co. merchants, of Philadelphia, do hereby certify, that I am, and have been extensively engaged in the wholesale dry goods importing business in said city for many years, and sold large amounts of British cotton, woollen, and worsted goods, in the years 1826, 1827, 1828, and 1829; and, during those years, my experience satisfies me, that there was a continued decline in the value of such goods, *and that the additional duties imposed on British manufactures in the month of May*, 1828, *did not create a general appreciation in the value of such merchandise.*

T. C. ROCKHILL.

Sworn and subscribed before me, February 3d, 1832.

J. PETTIT, *J. P.*

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*Statement of loss on three importations of goods by F. & R. Thompson, Philadelphia, and on which a claim for return of duty is made agreeably to the statements furnished by them, October 23d, 1830, and forwarded to the secretary of the treasury of the United States, by J. N. Barker, collector for this port.*

| *Marks and Nos.* | *When and by what vessel imported.* | *Cost in sterling.* | *Cost in dollars.* | *Loss.* |
|---|---|---|---|---|
| F. & R. 374 *a* 380 | Seven cases imported July 7th, 1828, per ship Hannibal, from Liverpool | £678 11 10 | $3,015 96 | $533 12 |
| 381 *a* 387 | Seven cases imported July 21, 1828, per ship Algonquin, from Liverpool | 584 7 3 | 2,597 16 | 183 35 |
| 388 *a* 392 | Five cases imported August 9th, 1828, per ship Julius Cæsar, from Liverpool | 461 18 1 | 2,052 90 | 117 37 |
| | | 1,724 17 2 | 7,666 02 | 833 84 |

*Philadelphia*, 2*d month* 2*d*, 1832.

The above statement of loss is exclusive of the loss of interest. *Upon the same description of goods, imported by us from the same house, in the corresponding period of the year* 1827, *we realized a profit.*

F. & R. THOMPSON.

[This statement is supported by the affidavit of the clerk employed by the Messrs. Thompson.]

*The loss on F. & R. Thompson's importations stands thus:*

| | |
|---|---|
| Sterling cost of 9 cases cloths, £1,724 17*s*. 2*d*. or | $7,666 02 |
| Amount of duties paid on same - - - | 4,704 40 |
| Exchange, freight, insurance, and shipping charges | 1,400 00 |
| Cost of the goods - - - - | $13,770 42 |
| Loss of a merchant's ordinary profit on $13,770 42, estimated at 7½ per cent. is - - - | $1,062 75 |
| Loss per statement - - - - | 833 84 |
| | $1,896 59 |

The above statement shows that the *loss* only varied a few dollars from the amount of *extra duty* charged upon their goods.

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*Affidavit from Boston, showing a decline in prices in* 1828, *of articles upon which there was increased duty under the tariff act of that year.*

We, the undersigned, being merchants of the city of Boston, do hereby testify and declare, that we have, for many years, been dealers in, and sellers of, cotton, worsted and woollen goods; were large holders of dry goods, of various fabrics, prior to the year 1828, as well as during that year in which the tariff act was passed; dealt freely during that year in flushings or fearnaughts, drab kerseys, broadcloths, woollen paddings, baizes, flannels, worsted, hosiery, blue, mixed, and green plains, blankets, printed calicoes, and most, if not all other articles of cotton, worsted, and woollen manufacture, on which the duty was greatly enhanced by the tariff of 1828. *Upon the passage of said act, many persons supposed that those manufactures on which the duty was increased, would immediately rise in the market, and command prices proportionate to the said increase of duty; and, at the first view of the subject, such, perhaps, would appear as the natural result. Such, however, was* NOT *the effect of the tariff of May*, 1828; *for, instead of advancing, most, if not all, of the principal articles of cotton, worsted and woollen goods (on which the duty was increased) rather declined than improved in price after the passage of the tariff act of May*, 1828, *and would not, in many cases, bring so much in market as they had done the year previous, under the old duty.* And these facts we are prepared fully to establish by full and complete extracts from our books, to which we had reference before expressing ourselves so fully as to the state of the market and the value of goods in 1828. The consequence of this state of things, was a great and heavy loss to such of the undersigned as had ordered goods under the tariff of 1824, but had them arrive under the tariff of 1828, as the increase of duty on many leading articles in the business of the undersigned was raised from 5 to 150 per cent. by the act of 1828, and for which they were unable to indemnify themselves by obtaining an increased price when they made sales of their goods after the passage of the act of May, 1828. The duty, for instance, on a yard of flushing, costing 2*s*. 3*d*. sterling in England, was increased from 18 cents to 21 per yard; on a yard of baize, costing 6*s*.* from 4 cents to 22½ cents;

On a yard of drab kersey, costing 1*s*. 11*d*. from 13 cts. to 22½ cts.
" " flannel, " 1*s*. " 8 " 17
" " broadcloths, " 7*s*. " 56 a 165
" " padding, " 10*d*. " 7½ " 10½

Printed cotton from 7½ to 8½ cents per square yard. Some of these new duties were, in effect, prohibitory, and have since caused a discontinuance of importation of the articles on which the duty was thus increased; but still the undersigned had to receive, in 1828, such articles as they had ordered under the *old duty*, which arrived under the *new*, loaded with the increase of duty, and lost heavily on the sales of them. *The undersigned could not undertake to decide what occasioned the* DECLINE IN PRICES *which occurred in* 1828. It may have arisen from sundry and various causes, *but they are decidedly of opinion, it was not produced by an increased importation*, occasioned by an expectation on the part of the American merchants, that the tariff would pass; on the contrary, they have found no evidence that the importation of those articles in which they deal, were upon an increased scale in that year, or greater, if so great as usual; and they are of opinion that, generally, the passage of that act was a matter of great and sudden surprise to the great body of merchants themselves. The decline in price in 1828 was not peculiar to the articles in which the undersigned deal, but the same occurred in the price of Russian manufactures, of raw wool, and many other, the necessary articles of living. The same is true of molasses, also, the value of which declined very much in the market, although the new duty was greatly increased.

The undersigned could go more into detail to establish the facts they would prove by various other illustrations, did they deem such a course necessary or desirable, but they are of opinion that the evidence already produced on this subject will be deemed sufficient.

For the late firm of WRIGHT, BLAKE & Co.
GRANT & SEAVER,
JER. FITCH & Co.
JOHN H. BRADFORD & Co.
EDWARD CLARKE & Co.
PHINEAS FOSTER,
HENRY GASSETT & Co.
HOMER & DORR,

*Boston, Feb.* 24, 1832. By George Homer.

* 6 *shillings?* but so in the official copy; probably *pence*. ED. REG.

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*Letter from A. & S. Henry, of Manchester, to Grant & Seaver, of Boston, in reply to Grant & Seaver's letter countermanding their orders for British manufactured goods.*

(Per Manchester.)

*Manchester*, 30*th June*, 1828.

DEAR SIRS: We duly received your esteemed favors of the 22d and 31st ultimo, and in compliance with your desire, we have used every effort in our power, and held out every inducement that could be reasonably proposed, to induce the parties with whom we have made contracts for your woollens, to accept of countermands, but we are sorry to say without the least success, and we shall be compelled to send almost every piece of them.

The fact is, that the manufacturers who had orders for the states, do not know what to do with the goods, for they are only calculated for that particular market, and unsaleable for any other; and whether the parties who gave the orders reside here or be in America, if they are at all responsible houses, their goods, so far as they have been prepared, will be delivered to them by the manufacturers.

We believe that is the case without a single exception, and in truth the equity of the case makes it but reasonable; for the orders that came forward, and which are at best of no great extent, would throw a dead and unsaleable stock upon some houses, which would, perhaps, ruin them, whereas, if distributed amongst the different parties who sent the orders, the inconvenience, or even loss, will not probably be *very serious*.

As to what we are preparing for you, being as we have said, obliged to take them, we have hesitated whether to ship them when ready, or to pack them up and let them lie in Liverpool for your further instructions; but we have finally concluded that the best course will be to ship them at once.

If they lay over they would lose the season, and of course be less valuable to you in the spring; and as to selling them in this country, either now or during the ensuing winter, we are very confident that the loss would not be less than 20 to 25 per cent. at least, exclusive of interest. We can scarcely suppose that in your mode of disposing of your supplies the loss would be so great as upon a sale here; on many articles there will be a positive loss, but still it can be no "break-neck" business.

There is also a chance that congress may remit a part of the high duties on such goods as the importers are *compelled* to take, and no doubt all the merchants will unite in endeavoring to obtain redress.

The law is a monstrous one, and it is difficult to believe it can be permanent. We are extremely sorry that a compliance with your wishes should be impracticable, but we trust you will see that (circumstanced as we are) we are adopting the wisest course in sending you the goods we are compelled to take, rather than keep them here waiting your further instructions.

Believe us truly, dear sirs, your most obedients,

A. & S. HENRY.

Messrs. *Grant & Seaver, Boston.*

—

*Letter from Grant & Seaver to Samuel B. Barrell, esq.*

*Boston, January* 31, 1832.

DEAR SIR—By your letter of ——, we learn that an opinion is entertained by some of the members, that goods imported under the tariff of 1828, were sold at advanced prices in consequence of said tariff, and that the consumers were sufferers instead of the importers.

We have carefully examined our invoices and sales, and now annex particulars of many leading articles of which we were importers to considerable extent, to wit:

*Broadcloths*—which cost from 9*s*. 6*d*. to 16*s*. sterling per yard: on this article we lost from 15 to 25 per cent. and, in some instances, 35 and 40 per cent. The advance of duty was enormous, in consequence of which we were induced to hold some of the goods for a time in preference to making so heavy a loss; the *result* has been, that we have *now* on hand; a considerable amount of the identical cloths in question, on which we shall lose, including interest, more than 50 per cent.

*Cassimeres*—The same remarks as those against cloths, will apply to this article, and add, that we received cassimeres charged at 4*s*. 6*d*. which would cost $1 60 per yard under the old tariff, which actually cost us, under the new, $2 12; and we find we sold a part of these goods at $1 50 and $1 55 per yard, in 1828, and finally closed them in February, 1831, at about the same sacrifice, *exclusive* of interest.*

*Flannels*—We suffered heavily on this article; have *now* on hand flannels charged at 39*s* 6*d*. sterling per piece, which, under the old tariff, would cost $14 04, and under the new $19 25 per piece: these goods are now worth in the market about $12 50.† We, therefore, shall lose, including interest, from 10 to $11 on each piece, *enormous*, say from 3 to $400 on a bale of from 30 to 40 pieces.

*Bocking baizes*—Charged at 7*d*. sterling per yard, cost formerly 21 cents per yard, and under the present tariff, cost 39 cents per yard. On these goods, our loss was very heavy.

*Kerseys*—The operation of the tariff is such, that our kerseys which cost 1s. 7½*d*. were charged a duty on the 50 cents minimum, and on those which cost 1*s*. 8*d*. were charged with a duty on the 100 minimum; the consequence was that we actually lost on *all* our kerseys; and on those which came under the 100 minimum, our loss was *exceedingly* heavy.

*Vestings, cassimere shawls, hosiery, &c. &c.*—we also lost money on.

All orders *since* the passage of the tariff, have been given with a view of coming nearly up to, but safely within, the different minimums; for instance, orders for kerseys have been for those which do not exceed 1*s*. 7*d*. sterling, or to come under the 50 cents minimum, and also for a quantity *very much better*, to come up to the 100 minimum; the same case is also observed in ordering cloths, cassimeres, vestings, shawls, &c. &c.

"The fact is, our *losses* were heavy on our importation for the autumn of 1828, instead of making our usual profit of 12½ or 15 per cent. Under these circumstances, we feel that *importers*, and *not consumers*, are entitled to the full allowance of the difference between the established duties at the time the orders were *given*, and those which were charged on the goods at the time of their *arrival;* and that we should, in justice, also receive interest on the same up to the time of payment of such difference."

We have not, usually, been in the practice of selling goods at auction, but in the fall of 1828, and spring of 1829, finding it impossible to dispose of our tariff goods at private sale, were induced to offer a part of our importation of 1828, at Whitewell, Bond & Co's public sales, and we herewith enclose to you their affidavit respecting such sales; and, also, affidavits of our clerk: can likewise furnish affidavits of commission merchants of New York, if necessary, as we shipped a few goods to that market, but were reshipped, in consequence of being worth less there than in Boston. Respectfully, your obedient servants,

GRANT & SEAVER.

*Sam'l B. Barrell*, esq.

*These cassimeres were sold for less than they *cost*, under the old tariff! ED. REG.

†That is—$1 54 less than their cost under the old tariff! ED. REG.

## BANKING!

The following has been published as the *true* "democratic" plan of operations—when the bank of the United States shall wind up its affairs.

A substitute for each state, instead of a branch of the United States bank—increasing the capital of each state from one to ten millions, (to be owned and managed by the citizens of each state.)

| | |
|---|---|
| New Orleans has on this plan | $8,000,000 |
| with the accumulation of several millions more. | |
| Alabama | 1,000,000 |
| and will increase it this year to 4 or 5 millions | 4,000,000 |
| Mississippi | 1,000,000 |
| and will increase it all the state requires | 5,000,000 |
| Tennessee with branches | 4,000,000 |
| Indiana will establish this season with 1 to 2 millions | 2,000,000 |
| Ohio ought to establish with branches | 10,000,000 |
| Kentucky 5 to 6 millions | 5,000,000 |
| Illinois in due time | 1,000,000 |
| Missouri | 2,000,000 |
| Virginia | 5,000,000 |
| New York (in one bank in New York) | 10,000 000 |
| Pennsylvania (in 1 or 2 banks) | 10,000 000 |
| Maryland (in one bank) | 4,000,000 |
| North Carolina | 2,000,000 |
| South Carolina, if they can sell their bonds | 2,000,000 |
| Georgia, " " | 2,000,000 |
| New Jersey | 1,000,000 |
| | $79,000,000 |

Other states to be added.

Five per cent. stock of all the states having 20 to 30 years to run will bring par, and many a considerable premium.

The plan the same as the Union bank of New Orleans. See their charter.

—

With this project perfected how great would be the "division of the spoils" in presidentships, cashierships, directorships, clerkships, and all sorts of agencies—and the dealings in the stocks would employ a whole regiment of lazy sharpers, in New York only, and support 5 or 6,000 persons, doing nothing to add one cent to the wealth of the United States, or comfort of the people.

## BOWDOIN COLLEGE.

The Boston Daily Advertiser, giving, *in extenso*, the long and learned opinion of Mr. Justice Story, in the case of this college, has also the following summary, which it may be useful to insert, as shewing the point decided.

*Case of Allen vs. McKean.* We publish to-day the opinion of judge Story, in the well known and important case of the president of Bowdoin college, against the treasurer of that institution, for the salary and perquisites of his office, which he claims to hold notwithstanding the provisions of an act of the legislature of Maine, passed on the 31st March, 1831, by which he was ejected. That act ordained that no person should hold the office of president in any college in Maine, beyond the following commencement, unless he should be re-elected by the boards of trustees and overseers; and that any person elected to such office should be liable to removal at the pleasure of these boards. This was acquiesced in by the two boards, who proceeded at their meeting about the time of the commencement of 1831, to elect a president; but no person received a majority

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of the votes, and the institution has remained ever since without an acknowledged president. The questions presented in the case were, 1. Whether the action is maintainable against the defendant, as treasurer, supposing the plaintiff to be rightfully in office. 2. Whether the plaintiff, notwithstanding the act already mentioned, and the proceedings thereupon, is rightfully in office, so that he is entitled to recover the amount of his salary and perquisites, or either, against the college. The last of these questions is obviously the most material one; and the learned judge proceeds to discuss it at length: After a full statement of the provisions of the charter, and the various acts of the legislatures of Massachusetts and Maine, in relation to the subject, he lays down the principle, that the college is a private and not a public corporation, and proceeds to show, by a course of reasoning, of which we will not impair the effect by an attempt to give a cursory outline of it, that the act of the legislature of Maine is unconstitutional and void, and in addition to this, that president Allen is in office under a contract with the boards, which it is beyond the power of the legislature to impair. On this question therefore, the opinion of the court is expressed in favor of the plaintiff; and it is expressed with equal clearness in his favor on the other.

## COMMODORE BAINBRIDGE.

This accomplished and gallant officer died at Philadelphia on Saturday last, and was interred on Monday evening with military and civic honors. We subjoin the following just tribute to his memory, which we copy from the National Intelligencer.

The last Philadelphia papers bring the sad intelligence of the death of the upright, honorable and chivalrous officer, commodore William Bainbridge, of the navy of the United States. For several years past afflicted by a lingering disease, the news of his death has caused more pain than surprise. We had been prepared for it, indeed, by the accounts of the state of health in which he had returned from the eastern states to Philadelphia, with the obvious desire to breathe his last in that city. We may be permitted, however, yet to express our sorrow for an event which has deprived the country of one of its best citizens, and the naval service of one of its brightest ornaments.

Commodore Bainbridge was in his sixtieth year, and might have been spared to us for many years to come, but for distressing complaints contracted in the service, which finally terminated his valuable life. He was a native of Princeton, in New Jersey, and was born on the 7th day of May, 1774. At an early age he was apprenticed to the sea service, and behaved so well that he rose to the command of a merchant ship at nineteen years of age. From that time (1793) to 1798, he commanded merchant ships in the trade from Philadelphia to Europe; during which period, in the small ship Hope, with four small carriage guns and nine men, he had an engagement with a British schooner of 8 guns and 35 men, commanded by a sailing master in the navy, and compelled her to strike her colors, though, the two countries not being at war, he could not take possession of her. In July, 1798, he unexpectedly, and without any application on his part, received from the executive an offer of command in the rank of lieutenant in the navy. We shall not pretend to recapitulate his subsequent services. His capture, by the grounding of the frigate Philadelphia, under his command, in the harbor of Tripoli, his long imprisonment, his fortitude and courage under it, are matter of history, and need not be here dwelt upon. Let one anecdote suffice as illustrative of the character of the deceased hero: whilst he was in captivity, and the American general Eaton was advancing upon Tripoli, the pacha sent word to capt. Bainbridge, in no doubtful terms, that he had the means, which in case of extremity he should use, of injuring the Americans in the most tender point, by putting his prisoners to death, &c.—thus hoping to intimidate the captain, and induce him to write either to the commodore or to Mr. Eaton. Capt. Bainbridge's reply was, that he and his officers were in the power of the pacha, and that he might do with them as he pleased; that the United States had many other officers and seamen, and that, consequently, they should be no loss to the country. It may readily be conceived that, after this reply, he was importuned no further.

The event of his life, however, which has most familiarized our readers to his name, was his gallant achievement of the capture of the frigate Java, on the 29th December, 1812, being the third of those victories which established the character of the American navy. The action was a severe one, and among our wounded was the commodore himself. The generosity of the victor to the vanquished covered him with as much glory as his valor in battle; and for his honorable courtesy on that occasion the gratitude of the prisoners was expressed in the most feeling manner.

Since the conclusion of the war, commodore B. had commanded with great reputation and popularity at several naval stations, and for several years filled the situation of a commissioner of the navy board. Every where beloved and esteemed, he was no less so here than elsewhere. He commanded the respect and esteem of all who knew him, and formed friendships which nothing but relentless death could have severed.

The name of Bainbridge, now added to those of Decatur, Perry and Macdonough, will long be held in grateful and affectionate remembrance, not merely by their surviving associates in the perils and glories of the service which they adorned and elevated, but by the whole country, of which they were true citizens and faithful servants.

The following order, on the receipt of the melancholy intelligence at Washington, was issued by the navy department.

GENERAL NAVAL ORDER.

As a mark of respect to the memory of commodore William Bainbridge, who died at Philadelphia on the 27th instant, the flags of the navy yards, stations, and vessels of the United States navy are to be hoisted half mast—and thirteen minute guns fired at noon on the day after the receipt of the order.

Officers of the navy and marine corps are to wear crape for thirty days. LEVI WOODBURY.

*Navy department, 29th July, 1833.*

## MR. EDWARD EVERETT.

The subjoined letter was written in answer to inquiries proposed by the anti-masonic committee of Middlesex county, Mass. through their secretary, Herman Atwell, esq. and is interpreted as identifying the political interest of the writer with the cause of anti-masonry.

*Charlestown, Mass. 29th June, 1833.*

My dear sir—I have your favor of the 27th instant, addressed to me on behalf of the anti-masonic committee of the county of Middlesex, in which you request an expression of my views and opinions, relative to the institution of free masonry, and tendency of secret societies generally.

My public engagements, as you are probably aware, are of such a nature, as to make it impossible for me to attempt a detailed exposition of my views on this subject during the present week. Nor is this perhaps necessary. I notice in your letter that you quote one or two sentences from the letter of Mr. Wirt, of the 28th September, 1831, as containing the principles of the "large and respectable portion of my fellow citizens and constituents," on whose behalf you address me. In the correctness of those principles I fully concur. "*The supremacy of the laws*" is the fundamental principle of civil society. "The allegiance due to the country is the highest human obligation" of all men, who enter into civil society; and I conceive the institution of free masonry to be at war with both these principles.

With respect to this institution, I came to the conclusion, and expressed it repeatedly in public, several years before the present controversy arose, that its pretentions to antiquity were unfounded. It is probably the growth of the last century and a half. It has frequently been admitted to me by respectable members of the society, that it is useless; and that as such it had better be abolished. Its only avowed objects—charity and knowledge—can be much better promoted by public associations. If it be useless, it must be worse than useless, because it occasions a waste of all the time, attention and money—necessary to keep up its organization. The titular and ceremonial parts of it, as displayed before the public, appear to me strangely at variance with good taste, particularly in a republican community.

But the great objections to the institution lie much deeper. All secret societies are dangerous in proportion to the extent of their organization and the number of their members. A secret society, so widely diffused and connected as this, puts a vast power, capable of the most dangerous abuse, into hands irresponsible to the public. The secret ceremonies and rites as they have been disclosed, appear to me on many grounds, highly objectionable; and the oaths and obligations are open to the most weighty exceptions, on the score of religion, morals, and good sense. I am aware that some of these oaths must have been taken, by many great and good men. That does not alter their character. And as I cannot believe, that they could have stood a day before the face of public sentiment, had they been openly administered and received, it is not the least objection to the institution, that as a secret society, whose rites and ceremonies must be substantially unknown before hand, great and good men have been surprised into giving it a seeming sanction.

The force of these objections is immeasurably increased by the fact, that within a few years, the institution has been actually made the instrument of the greatest (the greatest because irreparable) evil, which can be inflicted on society, the destruction of the life of a citizen; followed up by systematic and successful attempts to screen the murderers, in defiance of the most rigorous efforts, on the part of the tribunals, *to bring them to justice.*

It is unnecessary to say, that I speak of the tendency of the institution, as evinced in cases that have occurred, and consequently may occur again, and not of a necessary effect in all cases. When I reflect that Warren and Washington, among the dead, and Marshall, among the living, and numbers of pious, virtuous and honorable men, in the community around us, (some of whom I have the happiness to count among my personal friends) are members of the institution, I cordially adopt the sentiment of Mr. Wirt, in reference to the same point, that "both justice and prudence demand discrimination," and that it would be "an unjust proscription to involve innocence with guilt and treason."

Such are my views of the subject, very hastily expressed—which, in compliance with your request, you have my permission to make public. I am aware, from some little experience, that this may expose me to obloquy, which I would rather avoid. But if a man cannot safely venture on the expression of sentiments like the foregoing, it is idle to boast of the liberty of speech and the press. I am, dear sir, respectfully and faithfully yours, EDWARD EVERETT.

*Mr. Herman Atwell.*

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## MR. GRUNDY'S ORTHODOXY.

*Correspondence between Felix Grundy (a senator of the U. S.) and the president of the United States.*

*Nashville, May 6th*, 1833.

Dear sir—I am duly aware of the impropriety, in general, of troubling you upon subjects not connected with your public duties, but in cases, where justice to individuals require it, I rely confidently that you will not withhold any thing within your knowledge which may prevent injustice. I therefore take the liberty of making the following inquiries of you.

1st. Whether you were not intimately acquainted with my conduct in relation to the great questions of *nullification* and *secession* during *the whole of the last session of congress*?

2d. Whether you had not full opportunities not only of knowing my conduct but also my private feelings on those subjects?

3d. Whether any member of congress labored with more zeal and assiduity to put down the doctrines of nullification and secession than I did?

4th. Whether my whole energies were not directed to sustain the administration in the great conflict in which it was compelled to engage on the above objects?

Yours with great respect, FELIX GRUNDY.

*Gen. Jackson, president of U. S.*

—

*Washington, May* 19, 1833.

My dear sir—Your letter of the 6th May, with its enclosure, has been received. I am in some doubt whether I should reply to your interrogatories, as any answer I can give may not protect me from the charge of interfering in the choice of a senator soon to be made by the legislature of Tennessee. But the fear of this imputation ought not to prevent an answer so far as my knowledge of the relation in which you stand to the question proposed, may be necessary to do you justice; under this obligation, therefore, I feel at liberty to repeat now, what I have often said before in conversation, that your conduct during the last session of congress, in opposition to the absurd and wicked doctrines of nullification and secession, was highly useful and energetic; and throughout, as far as I could judge from your votes and conversation, no one could have manifested a greater zeal to give effect to the measures of the administration.

In stating thus generally my opinion of your conduct in the senate on the subjects alluded to, I trust no one will infer that I have any other object in view, but that of satisfying you, that I am incapable of doing you injustice; with the choice which the legislature are called upon to make, I can have nothing to do. Believe me very sincerely, your obedient servant,

ANDREW JACKSON.

Hon. *Felix Grundy.*

## NULLIFICATION—AND SO FORTH!

*From the Richmond Whig, July* 12.

Gen. *Hamilton*, of South Carolina, being invited to the same fourth of July celebration which Mr. *Calhoun* was prevented from attending, was also forced to decline from the state of his health, but transmitted in lieu, the following letter.

*Pendleton, July 4th* 1833.

Gentlemen—I cherished the hope until a late hour this morning, that my health would permit my being with you to-day, and that I might in person return you my sincere thanks for the very flattering and friendly invitation you have given me to unite with a large and respectable number of the citizens of Anderson, in the celebration of the anniversary of American independence; but being compelled to leave this for Charleston in the course of two or three days, I do not deem it prudent to put my convalescence to any previous trial by injudicious fatigue or exposure. I am therefore constrained to express my great regret that I am unable to accept an invitation thus kindly tendered. It might, under ordinary circumstances, be proper to conclude this communication with this apology, but the occasion itself, the deeply interesting crisis through which our state has just passed, and the relation I have borne to the latter, will, I am in hopes, excuse the few remarks with which I propose to trouble you. You will find in the sequel, that my purpose is not to indulge in a fruitless metaphysical discussion, but to discharge a more grateful, though mournful and affectionate office.

The celebration of the anniversary of the independence declared by the old thirteen free, sovereign and independent states, before even their confederation in 1778, cannot fail to produce a salutary moral influence, if regarded with a just estimate of the lesson this great event inculcates. If, for example, it invigorates a love for liberty itself, a just sensibility to every thing that looks like tyranny and oppression, and nourishes also attachment to the sovereignty of these states, under an abiding conviction that, as the great struggle for independence was waged and consummated by each of them, in its sovereign capacity, however conjointly they may have acted, furnishing, as it does, a type of their present relation towards each other, exercising again conjointly a sovereignty which flows from each, and by which the agent created by this sovereignty is responsible to each and all, it cannot fail in its lofty and cheering associations to make us better men and better trustees of that freedom which has been confided to our care.

But if, on the other hand, we set up false idols, and worship in a stupid spirit of bigotry—the mere effigy for the divinity itself—if, under the name of union, the substantial essence of liberty is to be lost sight of, and the very term itself is to be employed not only as a cloak for fraud, violence and injustice, but for the basest servility and man worship, we shall have learnt as little from our fathers as from the august moral which the day itself teaches, and find that we have approached not much nearer in our adoration of the real objects of the union, than the Egyptian did to his God in worshipping a crocodile.

Since our last anniversary, our state has passed through a severe trial. I thank God she did not falter. If our victory is not as complete as we could have desired, or as the justice of our cause would have justified, we have not, at least, ourselves to reproach. It is enough that substantial interests were secured, and, amidst almost unexampled difficulties, the point of honor was preserved by the single and unassisted efforts of our party. If we had been united at home, and if, after South Carolina had avowed in the face of the world her ultimatum, all her children had gathered around her in filial obedience and devotion, Lacedemon, at no period of the history of Greece, would have presented a more triumphantly glorious attitude, than this state would have done, small as she is in population and territorial extent. We should have had, not a bill of compromise, but a bill of plenary repeal and pacification.

The intestine dissensions which prevented such a consummation, are to be deeply lamented. But do not let us despond. Let us hold to the faith that is in us. Let us pause, gather strength, abstain from any unnecessary agitation of the public mind, keep our lamps burning and our ranks firm and unbroken. The eternal truths which lie at the foundation of our principles, must go on, waxing stronger and stronger, until the plantation states shall exhibit to the world the seemingly extraordinary paradox which antiquity has before revealed, that slave holders themselves are the most vigilant guardians of the civil and political liberties of their country. Depend upon it, the day is not far distant when all our resources must be brought again into action. Our antagonist "is scotched not killed."

Whilst we thus guard the sanctuary of our principles, let us always remember with grateful affection, when the hand of death comes among us, who have worshipped at our altars. The javlin of the destroyer has brought down to the cold chambers of death, within the short space of a few weeks, two of our strong men, whom at this moment we could least have spared. Of him, who has found his last resting place within the bosom of his and our own mother land, I shall not now speak. This proud, yet painful office will devolve upon me elsewhere and at another time. But of him, whose grave is now turned to the last rays of that setting sun "whose broad disk he is never destined again to see burnishing in its declining beams—the blue hills of his own Virginia," I desire, in the fullness of my heart, to say one word.

John Randolph has left us at a moment when he was prepared to have served us most. If God had seen fit to have permitted him to have taken his seat in the next congress of the United States, and to have allowed him to enjoy even a temporary respite from his almost unrelenting disease, no period of his eventful life, (brilliant as it was), could have been contrasted with the splendor of those closing efforts, which I know it was his design to have made for the liberties of our country, or, if this failed, of rousing his own Virginia from her slumber, and rekindling the long extinguished fires on her watch towers. Existing, as there was, between us, almost an hereditary friendship, during the whole progress of our struggle, I was in constant correspondence with this highly gifted and most extraordinary man. Whatever errors he may sometimes have supposed we had committed, from too much ardor in a good cause, he never faltered for one moment in the strong and affectionate interest he took in our fate and the success of our cause, or in the deep indignation which he expressed at the atrocious despotism of the proclamation, or the time serving profligacy of some of its supporters. In one of his letters, he remarked to me, "if I cannot be booted and mounted for the combat in your approaching conflict, I will at least be borne, like Muley Moluc, in a litter, to the field of battle, and die in your ranks."

I had designed to have sent you a letter which he wrote me a few hours after the president's proclamation had reached him, when he was stretched on what was almost his last bed of sickness, but, on more mature reflection, I have deemed it advisable to consult a mutual friend both of the deceased and myself, in Virginia, as to such parts of our correspondence as it might be proper to be made public, before any of his letters appeared. The letter, however, to which I allude, shall see the light. When it does, I promise you that Andrew Jackson, esq. will not have skin enough left upon his back to determine the color of his epidermis.

To have lost at this exigent moment one who, with such rare and extraordinary endowments for the crisis, possessed and exercised such a spell like influence over public opinion in his own state, is a calamity that can only be contemplated with composure when we reflect that death came at last, to release this bright emanation of the ethereal spirit, from a broken tenement, long suffering, sinking and decaying from almost the first dawn to the last vestiges of life. Peace to his manes. The south never had, never can have, a more glorious, gallant, and highly gifted champion—one who was emphatically an honest man—one who knew no fear in the cause of truth, and stood forth in her defence in invincible armor, brandishing his burnished lance in the light of heaven, and reflecting high in its bright concave the beams that glistened on its polished shaft. It was

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thus accoutred that he publicly stood forth before the world as the champion of the liberties of his country.

It will be the more pleasing, if less useful, province of the faithful biographer likewise to bring us in closer communion with the thousand virtues which endeared him to those who, knowing him best, invariably loved him most. To reveal to us his gushing sensibility, his inbred tenderness of heart, his romantic devotion to the duties and offices of friendship, his parental kindness to his slaves and dependents, whom he seemed, from the very humbleness of their allotment, to regard as his children, and withal, if the lambent beam of the evening lightning can be caught, the wit which sparkled in never ending flashes from his lips.

Let us then offer a libation to his spirit. I give you—

The memory of John Randolph, of Roanoke—In guarding the ashes of her highly gifted son, let Virginia remember his prophetic warnings, and be prepared to stand, where he always stood, in the trenches of the third parallel, in defence of the constitution and the liberty of his country.

I remain, gentlemen, with sincere respect, your friend and fellow citizen, JAS. HAMILTON, jr.

*To George Rankin, esq. and other members of the committee.*

However unhappily for his country, we believe that John Randolph, for his own fame, could not have died at a happier period. The deep and unaffected apprehensions for the liberties of the country, with which the despotic principles of the proclamation, and their universal acceptation north of the Potomac, have inspired all who believe those liberties to depend upon the strict interpretation of the constitution, and the sanguine calculations made on the exertions and great abilities of Mr. Randolph, to procure a reversal of the fatal dogmas of the proclamation, have caused his untimely fate to be lamented with a liveliness and universality of patriotic sorrow without example. For the illustrious men of our land who had descended to the tomb before him, died in the fulness of years, and when their country had reaped a full harvest of their virtues and of their talents; but John Randolph died before he had accomplished the last great service expected from him—which seemed peculiarly reserved for his peculiar powers, and which, we fear, the strength of none living is adequate to achieve.

The reader will look with peculiar interest for that letter of Mr. Randolph to which gov. Hamilton refers, and which he declares it his purpose to publish.

COMMENTS ON THE ABOVE.

*From the Globe, July 23.*

*Great doings at Slab-Town, South Carolina.* The nullifiers, it seems, have resolved that SLAB TOWN shall eclipse Colleton, where they began their revolutionary movements. War upon the proclamation—the force bill, and upon the man, who has triumphed by his vetoes, and before the people, *over the American System in all its parts*, is now the order of the day with the nullies, under the lead of Messrs. Calhoun and Hamilton; and at SLAB-TOWN, they have made some terrible *slaps*, indeed, at the president, and all who unite with him in the sentiment, that the union must be preserved. Some sixty or seventy toasts were drunk. Warren R. Davis was the McDuffie of the day. He urged the immediate enforcement of the test oath, to exclude the union men from the rights of citizenship in South Carolina, and but one wish seemed to animate the whole meeting, in which, we are told, "*great unanimity prevailed*," and that was most frankly avowed in the following toast, viz:

"*May those who voted for the bloody bill to coerce South Carolina, a free and sovereign state, into shameful submission, never go down to their graves in peace.*"

The whole tenor of the proceedings go to show, that the honest gentlemen, who now take the lead in South Carolina, are of opinion that every man who favors the proclamation—the force bill—or, in other words, that all who are opposed to nullification, ought to be *slapt-down*, and not suffered even to "*die in peace*."

That most *disinterested, consistent, unambitious, honest, quiet* politician, John Catiline Calhoun, who sought to *knit* all the powers of government in the hands of the bank—blending it with internal improvements and the tariff—making it the receiver of the imposts and the disburser—with Mr. McDuffie's high toned exposition of federal power, in "ONE OF THE PEOPLE," for its guide—this *strait laced* gentleman could not be present; but he wrote a letter to SLAB TOWN. He is now no longer distressed about the money or the cotton of the south. But LIBERTY, LIBERTY, is lost forever!! He says, "*of all earthly things I place* LIBERTY *in the first rank*," &c. &c. "*I believe* LIBERTY *to be in imminent danger*," &c. &c. "The proclamation and message of president Jackson, and the passage of the force bill at the last session, have laid the axe at the root of LIBERTY," &c. &c. "*Unless the people should rise from their lethargy and put them down*, OUR GOVERNMENT WILL SOON BECOME AS DESPOTIC AS ANY ON EARTH"—"*Whether we are to be a* FREE PEOPLE, *depends on the fact, whether these* GLARING AND DANGEROUS ACTS OF USURPATION *on the part of the federal government, are acquiesced in or not.*" "*I willingly surrendered all personal considerations to oppose the approach of* DESPOTISM." "It is not in the power of any single, or few individuals, to preserve LIBERTY." He then closes with a prayer to Providence, to "*watch over us in this* GREAT AND DANGEROUS CRISIS, *and so enlighten the people and inspire their hearts with the love of* THEIR LIBERTY *and country, that they may clearly see the danger*," &c.

This is the sum and substance of the whole letter—not a word about the tariff—the *unconstitutional protection* of coarse woollens—or cottons—or *cash duties*, in the entire epistle. Free trade itself is forgotten! and nothing is thought of by Mr. Calhoun, but the right of nullification and secession from the union, to secure to the people of the south the "LIBERTY," aye, that is the word—the liberty of making him the dictator—the TEST OATH-MAKER for a fragment of that confederacy, the chief magistracy of which he so long sought, but now despairs of ever attaining.

The knight errant of nullification, general Hamilton, it appears, was on a visit to the metaphysical expounder of the creed, and he, too, wrote a lucubration for SLAB-TOWN, or SLAP DOWN—a name, which seems more apt to the doctrine.

With regard to the union, the crusading general Hamilton says:

If "we set up *false idols*, and worship, in a stupid spirit of bigotry, the mere effigy for the divinity itself—if, *under the name of* UNION, *the substantial essence of* LIBERTY is to be lost sight of, and the very term itself is to be employed not only as a cloak for fraud, violence and injustice, but for the *basest servility and man worship*, we shall have learnt as little from our fathers as from the august moral which the day itself teaches, and find that we have approached not *much nearer in our adoration of the real objects of the union, than the Egyptian did to his God, in worshipping a* CROCODILE."

This is very figurative, and flighty. Brought down to the common level, we suppose it means, that the union is a "mere effigy;" that nullification is "*the substantial essence of liberty*;" that the union is preferred to the right of each state to nullify it, *from spirit of "man-worship," or devotion to general Jackson* on the part of the people—that general Jackson is "A CROCODILE," and the nation in "*a stupid spirit of bigotry*," idolize a monster; and for the sake of that monster are induced to feel an affectionate reverence for the institutions he watches over and would preserve. This indeed is a terrible *slap* at the American people and their president.

The general, in his next paragraphs, in effect, tells us that he would have given law to the whole country, by the sword, if his state had been *united!* He likes union on a small scale.

[Here the paragraphs referred to are inserted as they appear in the foregoing letter.]

The meaning of this is a little wrapped up, but as history tells us that Lacedemon, though a slave state, gave laws to all the little states of Greece—so South Carolina, being a little slave-holding state, would have been able, but for dissention, to have conquered by arms the freemen of the other *great* states, and added them, doubtless, to the number of South Carolina slaves. For the present, however, he is satisfied that he saved "*the point of honor.*" It is true, with the proclamation before his eyes, he would not "*go his death for his sugar.*" He paid the duty; but he lives to fight another day. "*Depend upon it*," says our *death-doing* general—"*depend upon it, the day is not far distant when all our resources must be brought again into action—our antagonist is scotched, not* KILLED." The next time the nullifiers will give no quarters.

We are then told by general Hamilton, that but for the untimely death of the knight of Roanoke, he would have joined nullification in the crusade against "*the atrocious despotism of the proclamation.*" *In one of his letters*, (says the general,) he remarked to me—

"*If I cannot be booted and mounted for the combat in your approaching conflict, I will at least be borne, like Muley Moluc, in a litter to the field of battle, and die in your ranks.*"

To shew the people of SLAB-TOWN how Mr. Randolph meant to deal with the president, the generalissimo was about to send to them a letter he received from the gentleman before his death; but declining it for the present, he gives the *slap down* people the following account of the matter:

"I had designed to have sent you a letter which he wrote me a few hours after the president's proclamation had reached him, when he was stretched on what was almost his last bed of sickness, but on more mature reflection, I have deemed it advisable to consult a mutual friend both of the deceased and *myself* in Virginia, as to such parts of our correspondence, as it might be proper to make public, before any of his letters appear. THE LETTER, HOWEVER, TO WHICH I ALLUDE, SHALL SEE THE LIGHT. WHEN IT DOES, I PROMISE YOU, THAT ANDREW JACKSON, ESQ. WILL NOT HAVE SKIN ENOUGH LEFT UPON HIS BACK TO DETERMINE THE COLOR OF HIS EPIDERMIS."

To be for one moment serious, we must say, that we do not believe that Mr. Randolph ever wrote such a letter, as is here described. If he did, what must the public think of the pretensions to open, manly candor and sincerity which his friends assert for him? Mr. Randolph wrote to the president the most friendly, nay, the kindest letters. Even after the proclamation appeared, he came to Washington—waited on the president—dined with him, and in his very last interview, evinced the same respectful, friendly regard, which characterised all his previous intercourse and correspondence. How then could Mr. Randolph, if he were an ingenuous, honest man, have harbored in his heart under all these shows of friendship, the malignant, deadly hate, which it is now pretended, characterize his letters to general Hamilton? We hope the general will feel himself called on by what we have said, to produce *his correspondence, his whole correspondence, and nothing but his correspondence.* This is due to the dead and the living.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 24—VOL. VIII.] BALTIMORE, AUG. 10, 1833. [VOL. XLIV. WHOLE No. 1,142.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ In the last paragraph of our article in the last Register under the head of "Religious Newspapers and Controversies," a mistake occurred which we deem it proper to correct. The word "insolent" should be "*innocent*," so as to read "the most innocent remarks, uttered in the most general terms" &c. The word will be found in the 6th line from the beginning of the paragraph.

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CHOLERA. This disease still lingers at Pittsburgh. The board of health reported two deaths for the week immediately preceding the 30th ult.

In *Missouri*, the disease has been peculiarly fatal. *Palmyra*, a comparatively small village, lost between the 1st and 15th ult. upwards of 100 of its inhabitants. At *St. Charles* many of the best citizens had fallen victims. At *St. Louis*, the cholera was subsiding.

The Vandalia Whig says, the cholera still continues in Illinois, and although its progress is not rapid, deaths are occurring almost daily. At Carrollton it has broken out with such malignity as to suspend all business and clothe the town in gloom. At Galena, there had been between 30 and 40 deaths from the 19th June to the 12th July.

In *Ohio* the cholera prevailed in many places; at Cincinnati it was on the increase; 8 deaths occurred there on the 1st inst. It had declined at Columbus. In the penitentiary at that place there had been 29 cases and 7 deaths amongst the convicts, up to the 30th ult. Out of 203 convicts about 100 had had the premonitory symptoms.

In *Kentucky*, it had greatly subsided, though in some places it was making fearful inroads. In Bardstown the family of judge Rowan, late U. S. senator, has been severely visited by this inscrutable scourge. His sons William and A. H.; his son William's wife; grand-daughter, Miss Steele, and his sister Mrs. Kelly, had died, as also, several of his slaves. His son John was sick, but not dangerous. Maysville has sustained a serious loss in the death of Mr. Charles E. Wolf, its late mayor. He was buried on the 25th ult. with all the respect due to his station and eminent services as the chief executive officer of the city.

*Hagerstown*. Three deaths by cholera having at different intervals occured there during the season, of persons from the line of the canal, a meeting of the citizens of this town recently took place, at which a committee of ten gentlemen of the first respectability was appointed to examine into the condition of its health. This committee report that after full inquiry and careful investigation, they find that from the spring of the present year, down to the 29th ult. the citizens have enjoyed good health, and that no case of epidemic cholera has originated there.

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LATE FROM BUENOS AYRES. By the brig Amanda, capt. Yorke, Buenos Ayres papers have been received to June 22d inclusive.

The eleventh legislature of the province convened at Buenos Ayres, 31st May, on which day, governor Balcarce delivered a message containing among other paragraphs the following:

"The minister sent by the government of Washington, whose expected arrival was announced to you in the preceding year, and whom it was resolved to await in order to come to an explanation relative to the destruction by main force of the colony in the Island de la Soledad, (one of the Falklands), by the captain of the United States corvette *Lexington*, did in effect arrive, and was received in the character of charge d'affaires: you are, Messrs. Representatives, already acquainted with the state of this negotiation. The government, in order to follow it up, has appointed a minister, and has notified this appointment to that of Washington; and he will shortly be despatched with the competent instructions to obtain satisfaction and reparation for so great an injury.



"The re-settlement of the Falkland Islands was immediately resolved on, in the mode that the other attentions of the province allowed; but soon an event occurred as unexpected as disagreeable. The government has informed you that the captain of his Britannic majesty's sloop of war *Clio*, sustained by a superior force, took possession of the islands in the name of his sovereign. Then it likewise stated to you what would be its conduct. It has therefore directed its minister at London, that, energetically remonstrating against the violation of the most sacred principles of the law of nations, he demand the restitution, and seek such satisfaction as becomes the justice and honor of both governments, by those means which probity, good faith and sound reason dictate."

[Jour. C[illegible]

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THE OPPRESSED SOUTH. Some of our southern fellow citizens complain that the laws passed by congress to counteract foreign legislation, and to protect our domestic manufactures, as well as American labor and capital, embarrass their trade, and are producing with them, poverty, distress and ruin. To all who will dispassionately examine the subject, these complaints will be found to be visionary and unfounded. It is the grain growing states, that have reason to complain still of the state of the markets and our foreign trade.

From 1st October, 1831, till 30th Sept. 1832, there were imported into Pennsylvania from foreign countries, goods, &c. amounting to the sum of $10,678,358.

| | |
|---|---|
| And yet, from Pennsylvania there was exported in the same year, of domestic produce, | $2,008,991 |
| Of foreign do. | 3,516,066 |
| Whereas, in the same year, there was imported into South Carolina, | 1,213,725 |
| And the exports of her domestic produce were, | 7,685,833 |
| Do. Imports into Alabama, | 306,845 |
| Exports of do. | 2,733,554 |

South Carolina, with a population of only 581,458, more than one-half of whom are slaves, has received during the last year of her agricultural produce, nearly eight millions of dollars, whilst Pennsylvania, with a population of 1,347,672, received for the whole export of her domestic produce and manufactures, little more than two millions of dollars.

Alabama, with a population of 308,997, more than one-third of whom are slaves, received as above for her cotton and sugar, nearly three millions of dollars. In this state of trade and commerce, who are the sufferers? Surely not the southern planters. It is to be remembered, which does not admit a barrel of our flour, or a bushel of our wheat, to be sold in her market. The duties on foreign flour and grain are so great, as to exclude them from the English market, except in a season of scarcity, to prevent a famine, and yet southern planters tell us that it is unreasonable to impose duties on British manufactures, for the protection of our own labor, capital and domestic manufactures.

The total of exports of product as stated, shows that the labor of the south is, under the existing laws, much better paid for, than in the grain-growing and free labor state of Pennsylvania, and even if the product of single plantations be considered, with reference to the labor used on them, they equally show the advantages of the southern planter over the grain grower of the middle states.

In the Savannah Republican of May 29th, is a statement of the produce for the last year, of three sugar plantations in East Florida.

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The first plantation produced to each hand for the year, $372
The second plantation, 370
The third do. 475

The aggregate, as given, is, that 79 hands produced $30,600, which is 387 dollars for each hand, and greatly exceeds the average product of the free labor of the north. Is it not marvellous, that our southern fellow citizens, with the advantages which they possess, should complain of the market and commercial regulations? It is, however, with them, as it is with some individuals in every society, that those persons, who, by the bounty of Providence, have least cause to complain, are the ones who talk most of their imaginary evils.

[*Franklin Repository.*

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BRITISH WEST INDIES. The Journal of Commerce has been permitted to copy the following extract of a letter from our consul at Jamaica, addressed to captain Newton, of the United States ship the St. Louis, on the eve of his departure from that port. By it we regret to find that the most distressing apprehensions are entertained for the safety of the white inhabitants, in consequence of the arrangements now making in the British parliament with respect to the emancipation of the slaves in the British West India possessions. We trust that our government will lose no time in placing a naval force in that quarter, for the better security of the lives and property of our citizens.

*Consulate of the U. States, Kingston, Jam. June* 30, 1833.

*Dear sir*—Having understood that you intend sailing to-morrow, I should do great injustice to my feelings if I did not testify to you my sincere and most grateful thanks for the courtesy and distinguished attention I received from you during my late visit on board the St. Louis, and without meaning to reflect in the least on the character of any one gallant officer in the service, have only to say that if similar attentions were more generally paid to our accredited agents abroad, it would add greatly to their respectability in the eyes of foreigners, and thereby enable them the more fully to secure the interests of their fellow citizens. [After some further remarks in high commendation of the St. Louis, her officers, and all pertaining to her as a ship of war, the letter proceeds—] Your departure from this place at such a critical moment as the present, is not only regretted by myself and family, but by the entire population of *Kingston and its environs*. You are aware, sir, that the views of ministers, as regards the *emancipation of the slaves*, &c. in the different colonies, have been received here, and it has not given satisfaction to either of the parties interested, and least of all the slaves. It is generally therefore believed, that as soon as the particulars shall have been promulgated throughout the island, poisoned as the minds of the negroes now are, *that they will make an attempt to emancipate themselves*, and the consequences in that case, cannot be otherwise than *fatal to every white inhabitant, foreigner or otherwise*. Whether these things will take place as soon as is generally expected, I cannot take upon me to say; perhaps from the precautions which the government are now taking, a considerable time may yet intervene, before the negroes venture to carry into effect their plans; and as there is a great deal of "*American property and interest in the colony*," it behooves our go- therefore most earnestly entreat you, to impress upon the mind of the honorable secretary of the navy, the propriety of keeping *a vessel of war in this neighborhood*, and occasionally to visit this port, *to communicate confidentially with me*.

Although your time has been very short here, I trust you have both seen and heard enough to justify the application I have made, for the presence of an armed vessel, as soon as possible, and if it should please the honorable secretary, from the known reputation of your character for gentlemanly conduct, combined as it is with all the necessary prudence which the commander of a ship of war should possess, coming here at such a time, and *under such circumstances*, I know no one who would be more agreeable to me, and the authorities generally, than you, sir.

With my best thanks to all your gentlemanly officers, for the kindness and attentions thus individually evinced towards me, during my late visit on board the "St. Louis." I am, dear sir, with best wishes for your honor and happiness, your very sincere friend and faithful servant, ROBERT MONROE HARRISON.

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LATEST FROM PORTUGAL. Captain Howland of the brig Betsey & Jane, at N. Bedford, from St. Michael's, which he left on the 29th June, reports that four or five days previous to his sailing, a schooner arrived at that place, in four and a half days from Oporto, with a few wounded soldiers from Don Pedro's army. She brought accounts of Don Pedro having received an addition of troops from England and France, and that 5,000 soldiers had embarked on board steamers at Oporto, destination unknown.—These accounts were received with much satisfaction at St. Michael's, and hopes were entertained that the struggle would soon terminate favorably to the cause of Donna Maria. The accounts, however, previous to the above, were of a nature not very flattering to Don Pedro's friends, and these last, inspired them with new hopes. At Madeira, 14th June, there were 3,000 of Don Miguel's best troops. Every thing was quiet and the inhabitants did not entertain the least fear of Don Pedro's succeeding.

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WELCOME OF GEN. CASS IN DETROIT. At a meeting of the citizens of *Detroit*, on the 23d ult. a committee was appointed, who in pursuance of their instructions, addressed a note to gen. Cass, then on a visit to that city, in the following terms:

"*Detroit, July* 24, 1833.

"*Hon. Lewis Cass, secretary of war.*

"*Sir*—The citizens of Detroit, your neighbors and friends, who have so long had an opportunity of witnessing your important public services, and the admirable qualities which, happily blended, adorn your private character and worth, gladly avail themselves of the occasion which your temporary visit to this place affords them to solicit your acceptance of a public dinner, at such time as may best comport with your convenience.

"Cherishing, as we do, the recollection of the social and friendly relations and intercourse, that so happily characterized the period of your gubernatorial functions over the territory, an opportunity to revive, even temporarily, those happy recollections, would be gratefully appreciated, and particularly by that portion of our citizens who have long had the pleasure of an acquaintance with yourself and your excellent and amiable family.

"Happy in being the organ through which the citizens of Detroit respectfully present to you, sir, this small tribute of their respect, permit us to add the expression of our unalterable wishes for your health, welfare and happiness."

To this note the following answer was returned:

"*Detroit, July* 24, 1833.

"*Gentlemen*—Be pleased to accept for yourselves, and to communicate to the citizens of Detroit, my acknowledgments, for the kind invitation I have received, to accept from them a public dinner.

"The time at my disposal will not allow me the pleasure of meeting them upon such an occasion. But this proof of their regard is not less welcome to me, and is but a continuation of that kindness which for eighteen years I have experienced from them in the relations of

"In whatever circumstances I may be placed, the recollection of what I owe to the confidence and good will of the citizens of Detroit will always be present with me. I am, gentlemen, with regard, your obedient servant, LEW. CASS."

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IMPORTANT TO VOYAGERS AND SHIP OWNERS. A case was lately tried in the court of common pleas, New York, wherein an emigrant to this country brought an action for damages against the owners of a ship in which he had engaged a passage to this country from Liverpool. The ship with her cargo and passengers on board had actually proceeded on the voyage; but being materially damaged by a gale on the third or fourth day, to return or sink was found inevitable. The passengers were consequently disembarked at Liverpool; and therefore demanded another passage immediately by the same ship owners, or to have their paid fares returned. Neither was done; and

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the plaintiff in the suit engaged passage in another packet; and having arrived at New York, he brought his action to recover the amount of the fare paid; and of the expenses to which he was necessitated by the failure of the first voyage. The passage money was 16 dollars.

The learned judge in his summing up, charged the jury on the law and the facts, and laid it down as law, that in cases of the payment of passage money, and the consideration not being rendered, nor the passage completed, those contracting to carry the passengers, as common carriers, were bound to execute their agreement, and, if not done, they were liable for the amount paid them. That there was no distinction in law between freight and passage, both being alike in the same principle of maritime law, which requires the carrying of the freight and passage money as agreed.

The jury returned a verdict for plaintiff of $16, with 6 cents costs. [*Phil. Sentinel.*

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The Indian character. The Richmond Compiler relates the following interesting incident, strikingly illustrative of that exalted trait in the Indian character which holds with unshaken firmness to the observance of a plighted faith, be the circumstances what they may under which the pledge was given:

When general Scott, in his late campaign arrived at the American encampment in the north west, he found three Indians prisoners—under a charge of murdering the whites. The evidence against them was slight—and an application had been sent on to Washington to obtain their discharge. But the president had gone to the Hermitage, and the secretary of war to Detroit. No answer was of course, obtained. In the mean time the cholera broke out among the American troops in the camp on Rock river. Many became victims. One of the three Indian prisoners also took it and died.

The general seeing the danger they were exposed to, determined on letting the two survivors out of confinement—and told them if they would confine themselves to the island in the river, he would permit them to go there. Their word being pledged, he directed them to go to the extreme part of the island, where they might keep somewhat out of the way of our troops. They accordingly repaired to the quarter where he had directed them to go; but they never once left the island—although they might easily have made their escape. Meantime the cholera spread, and the danger thickened. The general then told them that he would permit them to go to their tribe, upon condition that they would return to the camp as soon as he gave them notice that the cholera was gone. They assented to the terms and went home.

These men were under a charge of murder—and might have lost their lives if they were put upon their trial. But, notwithstanding this circumstance, the moment gen. Scott had determined to hold his great council with the Indians, he informed the two prisoners that they must come in—and they did not hesitate to do so. They repaired among the first Indians to the American encampment.

The reader will be pleased to hear that they were ultimately acquitted—though one of them had to pledge himself to attend as a witness against another Indian, who was charged with murdering the whites. This duty [illegible]

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Indian lands, &c. At the time of writing the following letter, *Washington* was president, and Mr. *Jefferson* his secretary of state:

*Philadelphia, Aug.* 10, 1791.

*To general Knox.*

*Dear sir*—I have now the honor to return the petition of Mr. Moultrie on behalf of the South Carolina Yazoo company. Without noticing that some of the highest functions of sovereignty are assumed in the very papers which he annexes as his justification, I am of opinion that government should firmly maintain this ground: That the Indians have a right to the occupation of their lands, independent of the states within whose chartered limits they happen to be: That until they cede them by treaty, no act of a state can give a right to such lands: That neither under the present constitution, nor the ancient confederation, had any state, or person, a right to treat with the Indians, without the consent of the general government; that that consent has never been given to any treaty for the cession of the lands in question: That the government is determined to exert its energy for the patronage and protection of the rights of the Indians, and the preservation of peace between the United States and them; and that if any settlements are made on the lands not ceded by them, *without the previous consent of the United States*, the government will think itself bound, not only to declare to the Indians that such settlements are without the authority or protection of the United States, but to remove them also by force.

It is in compliance with your request, my dear sir, that I submit these ideas to you, to whom it belongs to give place to them, or to such others as your better judgment shall prefer, in answer to Mr. Moultrie.

Th. Jefferson.

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Daring robbery. An extensive and daring robbery was committed in Rutland, Vt. on the night of the 24th inst. Some villain entered the dwelling house of William Page, esq. cashier of the bank, and stole money to the amount of nearly $7,000. The money was contained in a small trunk, which was carried to the bedroom of Mr. Page for safe keeping, regularly locked, and the key deposited in his vest pocket. The rogue must have entered the bedroom, taken the key from the pocket while the family were asleep, and departed with the trunk, which was found rifled in the north parlor; and the bank keys in the small yard in the front of the house. The bills were, we learn, mostly of the Rutland bank. *One thousand dollars reward* is offered for the recovery of the money.

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Imprisonment for debt. In the British house of commons, on the 13th of June, the solicitor general moved for leave to introduce a bill to amend the laws relating to debtors. We have not seen the bill itself: but the remarks of the solicitor general, on the subject of his motion, give a very general account of its provisions. He stated, that his principal object was to give a remedy against the property, instead of the person, of the debtor. The first provision of the bill would be, to allow immediate execution upon all bills and bonds, when they become due, dispensing with many of the proceedings at present in use. On a summons being issued, execution is to issue forthwith, unless security is given to the court. The debtor is to be brought before a commissioner, and if he refuses to exhibit and surrender his property, is to be committed to prison. The creditor is to be entitled to a remedy against all kinds of property possessed by the debtor. Power is to be given to debtors to make a surrender of their property, in which case, the creditors, by a majority of four-fifths, may give him a certificate of discharge. To obtain money with an intent to defraud, is declared a misdemeanor, as is also the absconding of the debtor, or the stating of a false account in the surrender of his property. Imprisonment for debt is proposed to be abolished, except in cases attended with fraud, but where a creditor makes oath before a magistrate that his debtor is about to abscond to a foreign country, the latter may be imprisoned. [*Boston Pat.*

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Extract from a gentleman who visited the scene of the awful occurrence which it describes, the morning after it took place.

A respectable citizen of Hampshire county, Va. of the name of Arnold, who carried on the business of tanner, had been to Alexandria to sell a load of leather, was returning on Thursday, the 25th ult. travelling on horseback by the stage road, when about ten miles below Aldie, in Loudon county, the appearance of a heavy cloud warned him to seek shelter for himself and horse. He accordingly rode up to a stable at the side of the road, where the stage stopped to change horses and having obtained permission of the stage driver, put his horse into one of the stalls. The driver at this time had the four stage horses out before the door—three of them were in a cluster, and a few paces from the door, the fourth was detached a little distance from the rest.

Mr. Arnold was standing in the stable door, calmly viewing the threatening cloud as it thickened and rolled over head, flashing and roaring in awful and terrific gran-

deur. It was not long that he stood thus: a cataract of electric fire descended upon the stable, rending it from the ridge pole to the sill. Mr. Arnold was struck dead! —the three horses near the stable door were killed, and the driver knocked down and so stunned that he remained for a time, insensible—*His life was evidently preserved by the accidental circumstance of his having a silk handkerchief in the crown of his hat.*

Our informant saw the hat and handkerchief; the rim and the top of the hat were severed from the crown, a large piece taken out of the latter; the several pieces were cut asunder as neatly as if it had been done with a sharp instrument. The handkerchief was seared or scorched, as if a red hot iron had passed quickly over it. A small reddish mark was perceptible on one of the driver's cheeks, but whether from lightning or not was uncertain; besides this there was not the slightest appearance of its effect on any part of his body. He was entirely free from any pain about the head, though he complained of a soreness in his breast. [*Norfolk Herald.*

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Disease among cattle. The following is from one of our most respectable farmers in the county of Philadelphia. [*Penn. Inquirer.*

*To the editor of the Inquirer.*

Sir—A disease—name unknown to the writer—is prevalent among the horned cattle and horses in the neighborhood of Frankford, in this county; and my object in publicly stating this fact, is to elicit, if possible, through the medium of your journal, some information touching the disease, its cause, its cure, or what is most desirable, an "ounce of prevention." Within the last fortnight, or three weeks, upwards of nine cows and six or seven horses have died in the immediate vicinity of the village, and all, so far as I can learn, were carried off in the same way. The writer of this communication has lost, of a stock of four cows and three horses, two of the former and one of the latter, all having died within ten days. My cows and horse were apparently in health *three hours previous to death!* and in every instance they were found *dead* without exhibiting any symptoms of disease. I am told, however, that a horse of one of my neighbors exhibited uneasiness and a kind of vertigo a few hours previous to death, but that no symptoms of disease were visible in the morning—the animal having died in the evening. I had a post mortem examination of one of my cows, but could discover nothing in the stomach, bowels, or paunch to produce death—these parts of the animal exhibited a healthy appearance. The abdomens of the cows and horse were all much swollen *after* death. B.

*August 1st.*

P. S. Cow well, apparently, at 2, P. M. dead at half past 5.

Cow well, apparently, at 10 in the evening; found dead and cold at 5, next morning.

Horse well at 2 o'clock, dead at half past 4.

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Etymology. The Nantucket Inquirer published the following extract from a lecture delivered at Boston, by John Pickering, esq. on the subject of languages generally:

"In geography, the name of *Cape Horn* is commonly associated with the idea of *a horn;* and we often hear of a ves- word is altogether different; this extremity of the continent was called by the Spaniards *Cabo de Horno*, meaning cape of the furnace, or Cape Furnaces, which corresponds to the name of the adjacent land, called *Terra del Fuego*, or land of fire. In our own neighborhood, too, the name of *Martha's Vineyard* has been sadly corrupted; and upon that corruption has been founded an ancient story that it was given by an Indian chief to his daughter Martha, as her portion.

"We will leave the story to our poets to embellish their works of imagination; but the sober truth of history is, that it was so named from Martin Wyngard's land, now shortened to *Martha's Vineyard.*

"Again; the familiar exclamation on hailing, "ship a hoy!" is derived from the same root, and is substantially the same word with the ancient exclamation used at the tilts and tournaments of the knights—that is, ho! or in French, *ho la*, that is *stop*. The same expression among landsmen, is applied to vehicles moved on land by horses and other animals, but is corrupted into the well known exclamation, *wo* or *hwo*, that is *stop* or stand still."

## THE DUKE OF NEWCASTLE.

*From the Nottingham (England) Review.*

On Wednesday forenoon, we observed placarded on the walls of this town an address from the earl of Lincoln, heir apparent to the dukedom of Newcastle, to the electors of the south eastern division of the county of Nottingham, offering himself as a candidate for the representation of that portion of Nottinghamshire, and at the same time stating that he should be at Newark market that day (Wednesday), at Bingham yesterday, and at Southwell this day. The same day's post brought us a long communication from Newark, being an alphabetical list of one hundred and thirteen persons who have been ejected from their houses in that borough, under the principle of "*May I not do what I like with my own?*" Probably we shall print the entire list before long; in the meantime we shall now make a few extracts, and the first name is—

Anderson, Peter, Balderton gate, rent £4, self and family tenants for forty years, value of premises £40, voted for Wilde.

Bates. John, Wilson street, rent £7 10s. father and self tenants fifty-eight years, value £120. Wilde.

Birkett, Wm. Farndon road, £18 rent, father and self tenants fifty-six years—Wilde.

Beech, Wm. Stodman street, rent £35, self and family tenants for *one hundred and fifty* years, did not vote at all, having refused to take the oath.

Carver, James, sen. Norton Disney, not an elector, but known to be favorable to the independent cause. (His son's tavern was one of Wilde's committee houses).

Gardner, Thomas, Beaumond street, rent £18, *did not vote*, but was present at a dinner! Had expended £450 on the duke's premises.

Lowe, Mrs. Wilson street, £8 10s. son voted for Wilde.

Parkinson, Thomas, Wilson street, rent £8, self and father tenants 46 years—Wilde.

Rawden, Miss, Wilson street, rent £6—*making favors for the blues!!*

Thorpe, James, Market place, rent £22, self, father and grandfather tenants 100 years, and expended great sums on the premises—voted for Willoughby and Wilde.

With numerous instances of this kind, where families have been ejected from tenements in which they have been resident time out of mind—where widows were turned out of their houses because of the manner in which their sons have voted—where persons had expended more than the full value of their premises in improvements, and yet were compelled to quit without remuneration—nay, where even the fact of a milliner having made favors for the opposite party, was deemed a sufficient ground for depriving her of her house—we wonder that any relative of the duke of Newcastle should have the effrontery to show his face as a candidate in Newark.

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☞The preceding is a fine specimen of English "liberty" which has been so much boasted of, for several centuries—not that persons were "*reformed*" because they had not pleased "his grace," the duke of Newcastle, in the manner of voting—for England is not the only country in which great men "reward their friends and punish their enemies," for opinion's sake! It is as severely demanded that persons should "*kiss the black stone,*" and say "*God is God, and Mahomet* [*or any body else*] *is his prophet,*" in the United States, as on the lands of the duke of Newcastle, or at the temple of Mecca—but, perhaps, not quite so generally complied with!!! The pilgrims at Mecca, however, have this advantage—they know on which *side* to "kiss the black stone"—but our devotees are often required to kiss on *both* sides, and *all* sides—to kiss off, what they had kissed on—to watch the rolling of the stone, and kiss its very bottom!*

But we insert this article chiefly to shew the condition of the English peasantry. The family of one man had been successive tenants *for one hundred and fifty years*, and so on! We have always thought that beautiful English song, "Ere around the huge oak," &c. exposed disgusting facts, in preferring as a boast with thy [illegible] three generations, and a dependent still—with a hope that the fourth descent would also be dependent.

## TREATY WITH NAPLES.

*From the Salem Commercial Advertiser.*

Convention between the government of the United States of America, and his majesty the king of the kingdom of the Two Sicilies, to terminate the reclamations of said government for the depredations inflicted upon American commerce by Murat, during the years 1809, 1810, 1811 and 1812.

The government of the United States of America, and his majesty the king of the kingdom of the Two Sicilies, desiring to terminate the reclamations advanced by said government against his said majesty, in order that the merchants of the U. States may be indemnified for the losses inflicted upon them by Murat, by the depredations, seizures, confiscations and destruc-

*Take an instance—Mr. *Webster's* speech, on Foot's resolution, was "consolidation" and "toryism"—Mr. *Hayne's*, a glorious display of "constitutional doctrines," and of the "true whig school." Neither of the gentlemen named have changed their opinions—but what is their position with the public now?

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tion of their vessels and cargoes, during the years 1809, 1810, 1811 and 1812, and his Sicilian majesty desiring thereby to strengthen with the said government the bonds of that harmony not hitherto disturbed, the said government of the United States, and his aforesaid majesty the king of the kingdom of the Two Sicilies have, with one accord, resolved to come to an adjustment, to effectuate which they have respectively named, and furnished with the necessary powers, viz: The said government of the United States, John Nelson, esq. a citizen of said states, and their charge d'affaires near his majesty the king of the kingdom of the Two Sicilies; and his majesty, his excellency D. Antonio Maria Statella, prince of Cassaro, marquis of Spaccaforno, count Statella, &c. &c. &c. his said majesty's minister, secretary of state for foreign affairs, &c. &c. who, after the exchange of their respective full powers, found in good and due form, have agreed to the following articles:

Article I. His majesty the king of the kingdom of the Two Sicilies, with a view to satisfy the aforesaid reclamation for the depredations, sequestrations, confiscations and destruction of the vessels and cargoes of the merchants of the United States, [and for every expense of every kind whatsoever, incident to, or growing out of the same] inflicted by Murat during the years 1809, 1810, 1811, 1812, obliges himself to pay the sum of two millions one hundred and fifteen thousand Neapolitan ducats to the government of the United States; seven thousand six hundred and seventy-nine ducats, part thereof to be applied to reimburse the said government for the expense incurred by it in the transportation of American seamen from the kingdom of Naples during the year 1810, and the residue to be distributed amongst the claimants by the said government of the United States, in such manner, and according to such rules as it may prescribe.

Article II. The sum of two millions one hundred and fifteen thousand Neapolitan ducats, agreed on in article the first, shall be paid in Naples, in nine equal instalments of two hundred and thirty-five thousand ducats, and with interest thereon at the rate of four per centum per annum, to be calculated from the date of the interchange of the ratification of this convention, until the whole sum shall be paid. The first instalment shall be payable twelve months after the exchange of the said ratification, and the remaining instalments, with the interest successively, one year after another. The said payments shall be made in Naples, into the hands of such persons as shall be duly authorised by the government of the United States to receive the same.

Article III. The present convention shall be ratified, and the ratifications thereof shall be exchanged in this capital in the space of eight months from this date, or sooner if possible.

In faith whereof, the parties above named have respectively subscribed these articles, and thereto affixed their seals. Done at Naples, on the fourteenth day of October, one thousand eight hundred and thirty-two.

JOHN NELSON. [SEAL]
THE PRINCE OF CASSARO. [SEAL]

## EMIGRATION TO CANADA.

The Canadian Literary Journal contains some curious statements respecting the character and extent of the recent emigration from Europe to the Canadas. Prior to the year 1830, the number of emigrants was comparatively small, and they were almost exclusively laboring men, wholly destitute of pecuniary resources, who came out for the purpose of procuring the means of subsistence. Within the last three years, the number of the emigrants has been three or four times as great as the average of several years preceding, and a large portion of them have been farmers of considerable property, professional men, and retired officers of the army and navy. The value of real estate in the provinces, says the Journal, has been every where materially increased, and that of wild lands in Upper Canada has been more than doubled. The number of emigrants in 1829 was 15,945; in 1830, 28,000; in 1831, 50,254; and in 1832, 51,746. Of this last number, 19,830 were males, 17,052 females, and 14,864 children under fourteen years of age. All of them were voluntary emigrants, excepting about 5,000, who received parochial aid. Thirty-five thousand went to Upper Canada. 10,000 remained in Lower Canada, [illegible] their own country, and 3,346 went to the United States. During the last four years, the increase of emigration from England has been five-fold, from Ireland three-fold, and from Scotland two-fold; and the emigration from England in 1832 was greater by 70 per cent. than that of the preceding year, while the emigration from Ireland in the same period was diminished by 15 per cent. Four years ago, the emigrants from England came principally from the northern counties; they now come chiefly from the southern. The professional men who came out during the last year, have established themselves in the towns and villages of Upper Canada; the officers have obtained, and in general settled upon, the lands to which they are entitled for their services; and the agricultural emigrants have purchased cultivated farms in different parts of that province. The laboring class have been settled on the wild lands belonging to the crown, a large portion of which are in the district of Newcastle. It was in this district, that the first experiment was made of settling bodies of indigent emigrants upon these lands; and though various difficulties have been encountered, the Journal declares that it has proved eminently successful; the population of this district having increased since the year 1817 from 4,000 to 30,000. The advantages derived from emigration are attributed chiefly to the exertions of lieutenant governor sir John Colborne, who has not only done much to promote it, but has distinguished himself by his efforts to secure the comfort and prosperity of the emigrants.

## THE FRENCH IN ALGIERS.

The occupation of Algiers by the French is not unattended with trouble. The Arab tribes of the interior, unsubdued and as hostile as ever, are a constant source of uneasiness to the French occupants. A late Paris Moniteur says:

"Several hostile tribes had plundered our allies and neighbors, the Beni Urgins, of their cattle, and escaping with impunity, had been encouraged to enter by night into our establishments, and, being expert thieves, carried off some of our horses, mules and implements. General D'Uzer, the commander-in-chief at Bona, having learnt that the stolen property had been taken to the Oulet d'Attia, a tribe settled about five leagues off, resolved to chastise these depredators, and at the same time intimidate the Arabs by making a great display of force. Consequently, on the 21st, at midnight, he marched out of Bona an advanced guard of 520 cavalry and some light infantry, under the command of col. Perragaux, following himself, in half an hour, with 800 men, infantry and engineers, and a battery of artillery, moving in the deepest silence. At daybreak the tribe of Oulet d'Attia were completely surrounded; but, at the first musket shot, the tribe of Beni Acoub, one of our most hostile enemies, hastened with all the cavalry and infantry it could assemble. A brisk firing ensued, during which col. Perragaux hastened to send in the rear the flocks and cattle he had captured. This made the enemy attack us with increased fury, but they were completely routed by two brilliant charges of our cavalry, which left thirty-one Arabs dead upon the field, and made six prisoners. Upon this a retreat was made in the finest order; but after marching a short distance, colonel Perragaux halted his men, to allow them to refresh themselves, and afterwards returned to Bona without further interruption. General D'Uzer, after restoring to our enclosures eighty head of cattle that had been carried off, distributed fifty three oxen to the Karesas, fifty cows, as many calves, and 100 sheep to the Beni Urgin, and twenty oxen to another tribe, which though called Oulet d'Attia, is friendly to us. He then returned to the guilty tribe of Oulet d'Attia the remainder of the cattle brought off, who, on their side gave up the horses and objects they had taken from us. The severe lesson these received has had a great effect in the country, so that several inhabitants of Bona, who, on their way from Constantine were plundered to a large amount by the numerous tribe of El-Cabal, have had all the stolen articles restored to them."

## FRENCH AND ENGLISH AGRICULTURE COMPARED.

The following comparative statement, showing the amount of animate and inanimate power applied to agriculture and commerce in France and Great Britain, is given by Mr. Charles Dupin. He takes the population of France at 31,800,000, and England and Scotland at 15,000,000.

*Applied to agriculture in France.*

| | | | *Effective laborers.* |
|---|---|---|---|
| Human race | 21,056,667 | equal to | 8,406,038 |
| Horses | 1,600,000 | " | 11,200,000 |
| Oxen and cows | 6,973,000 | " | 17,432,000 |
| Asses | 240,000 | " | 240,000 |
| Total | | | 37,278,000 |

*Applied to agriculture in England and Scotland.*

| | | | *Effective laborers.* |
|---|---|---|---|
| Human race | 5,000,000 | equal to | 2,132,446 |
| Horses | 2,250,000 | " | 8,750,000 |
| Oxen, cows, &c. | 5,500,000 | " | 13,750,000 |
| | | | 24,632,446 |
| Approximating estimate for Ireland | | | 7,455,701 |
| Total for the United Kingdom | | | 32,088,147 |

*Applied to the arts, manufacture and commerce.*

| | In France. | In G. Britain. |
|---|---|---|
| Animal force equal to | 6,303,019 | 7,275,497 |
| Mills and hydraulic engines | 1,500,000 | 1,200,000 |
| Wind mills | 253,333 | 240,000 |
| Wind and steam navigation | 3,000,000 | 12,000,000 |
| Steam engines | 480,000 | 6,400,000 |
| Total force | 11,536,352 | 27,115,497 |
| Approximating estimate for Ireland | | 1,002,667 |
| Total force for Great Britain | | 28,118,164 |

By the above estimate, it appears that France, with a population of 32,000,000, employs in agriculture, the arts and commerce, a conjoined animate and inanimate power equal to 48,814,390 able men; and that Great Britain, with its population, (say 28,000,000), employs a power equal to 60,906,311. That the inanimate power applied in England and Scotland to agriculture is equal to twelve times the human force, while in France it does not exceed five times; that the inanimate power applied to manufacture and commerce in Great Britain, is four times greater than in France; and that the whole animate and inanimate power engaged in manufacture and commerce in Great Britain is nearly treble the amount of that so occupied in France.

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## PRODUCT AND CONSUMPTION OF COFFEE.

The following *calculations* concerning the product and consumption of coffee, will interest many of our readers, who are not concerned in a trade in the article. We think, however, that the estimated amount of the consumption, as well as of the production is a great deal too high.

*From the Boston Courier.*

*Estimated consumption of Europe.* The population of Europe is about 210,000,000. If one-tenth of this number be consumers of coffee, and each consume 15 lbs. annually, which is little more than ¼ lb. per week, the consumption will exceed 300,000,000 lbs. In most parts of Europe, the higher and middling classes, comprehending the nobility, high and middling clergy, legal and medical professions, merchants, manufacturing proprietors, landed gentry, rich mechanics, and naval and military officers, are generally consumers of coffee, and constitute more than one-tenth of the population. A large portion of all these being rich, and addicted to luxurious habits, consume as much coffee in proportion to numbers, as the wealthy or middling population of our cities; and the usual consumption of the latter is ½ lb. per week, or 25 per year for each individual. Coffee is, perhaps, more generally consumed in Germany, the Netherlands, Prussia and Austria, than in other European countries. The whole population of these is about—

| | | | | |
|---|---|---|---|---|
| | 54,000,000 | 1-4 | consumers | 13,750,000 |
| France | 31,000,000 | 1 5 | " | 8,000,000 |
| Turkey | 9,000,000 | | | |
| Spain, Portugal & Italy | 30,000,000 | 1 20 | " | 1,500,000 |
| Denmark | 1,800,000 | | | |
| Sweden | 3,700,000 | 1-10 | " | 750,000 |
| Switzerland | 2,000,000 | | | |
| G. Britain and Ireland | 21,000,000 | 1-7 | " | 1,500,000 |
| Russia | 57,500,000 | 1-40 | " | 1,500,000 |
| | 210,000,000 | | | 27,000,000 |

But to reduce this number of consumers to 1-10 of the whole population, 23 per centum should be deducted, and say for round numbers — 6,000,000

Which leaves for consumers — 21,000,000

If each of these consume 16⅔ pounds annually, which is 1-3 less than the quantity allowed above to the greatest consumers of our cities, the annual consumption of Europe will be — 21,000,000 lbs. 16⅔

350,000,000 lbs.

If one-seventh be deducted from this — 50,000,000 do.

The remainder, or *least* annual consumption will be — 300,000,000 do.

RECAPITULATION.

1. The wealthy and middling classes of Europe exceed *one-tenth* of the *whole* population, are generally consumers of coffee, and consume *as much* in proportion to numbers, as the wealthy and middling population of our cities.

2. Only *one tenth* of the whole are assumed as actual consumers, and are allowed, for each individual, only two-thirds of the quantity consumed in our cities.

3. *One-seventh* of the quantity thus allowed to this amount of population at this *reduced* rate of consumption, is deducted for *over estimate;* and the remainder, or the *least* quantity that can be obtained from the *most reduced* rates of population and consumption, is 3,000,000 millions of pounds.

Whether coffee will rise or fall in price hereafter, must depend entirely upon the wants of the world and its means of supplying them. Upon either of these points certainty is not attainable, and approximation is all that can be rationally expected. The question therefore involves merely a calculation of probabilities, from data, of which, though many be facts, others are merely conjectures. The supply consists of production and stock. The production of some countries is ascertained; that of others nearly so; that of others merely conjectural, though known not to exceed certain quantities. The stock in first hands is generally capable of being ascertained: that in second that in the hands of retailers, merely conjectural. The time necessary to produce coffee, or to renew deficient stocks from the produce of new plantations, is known exactly. The consumption of the world cannot be ascertained, but can be inferred from the amount of importations, sales and stock in first hands, in a period of several successive years. The following estimate of production is higher than any that has been published within the last four or five years.

| | | |
|---|---|---|
| Java now produces for exportation | 40 | mill. lbs. |
| The rest of India and Arabia | 30 | " |
| Brazil | 80 | " |
| Cuba | 50 | " |
| Porto Rico | 15 | " |
| St. Domingo | 40 | " |
| British West Indies | 20 | " |
| French do. | 15 | " |
| Dutch do. | 10 | " |
| Spanish Main | 10 | " |
| Total production of 1833 | 300 | mill. lbs. |

The stock in first hands, Jan. 1, 1833, in Europe, importing Asia, and the U. States, according to the most authentic accounts yet published, did not exceed — 120 mill. lbs.

The stock in all second and third hands did not probably exceed 5-6 of this amount, or — 100 " — 220 "

Therefore the actual supplies for 1833 do not exceed 520 "

The annual consumption of Europe and importing Asia is not, probably, less than — 300 mill. lbs.

And that of the U. States not less than — 80 " — 380 "

Leaving the stock, on the 1st of January, 1834, in first hands 76 4-11 mills. in all second hands 63 7-11 mills. and in all hands — 140 "

If production does not increase, the crops of 1834 will be — 300 "

And the supplies for 1834 — 440 "

If present prices continue, the annual increase of consumption in the U. States will not be less than — 10 mill. lbs.

And as the annual increase of sales since 1829, as ascertained from the circulars of importers in Amsterdam, Rotterdam, Antwerp, Hamburgh, Bremen and Trieste, exceeds 6 mill. lbs. the increase of all Europe and the Levant may be estimated at not less than — 10 "

And the whole consumption of 1834 — 400 mill. lbs.

Which will leave the stock in all hands, on the 1st of January, 1835 — 40 "

If production still be stationary, the crops of 1835 will be — 300 "

And the supplies for 1835 — 340 "

Prices being still stationary, and consumption increasing as before, the consumption of 1835 will be — 420 "

And the deficiency for 1835 will be — 80 "

But the reader will pronounce this calculation inadmissible, for at these rates, two years will not elapse before the world will not contain a pound of coffee except that growing on the trees, and will require 80,000,000 lbs. more than the supply. But this result depends upon a continuance of these rates—that is, of production and consumption. Will these rates be altered? for nothing else can alter the result. Production is known to be increasing in no countries excepting Brazil, Cuba and British India; and the increase of the first does not amount to 10,000,000 lbs. annually, nor of the second to 5,000,000, nor of the whole to 20,000,000. In St. Domingo, Porto Rico, the British West Indies, Dutch do. the Spanish Main and Java, it is known to have decreased since 1829, and the present rate of decrease is not less than 20,000,000 annually. In no countries except Brazil, has planting been extended since 1829, and in the Spanish Main, Porto Rico, British West Indies, Dutch do. and Java, old estates have been neglected. Should new planting begin in all countries in 1833, the produce of it would not reach the market for sale till 1837, nor in great quantities till 1838. Production will not therefore be augmented during 1834 and 1835, and consequently that rate will not be disturbed.

Will *the assumed rate* of production continue? This will depend upon a continuance or fall of present prices. Nothing then but an advance of present prices will check the present rates of consumption, and preserve the balance between demand and supply, till production can be augmented from new plantations. The present prices in Europe, exclusive of duties, are 100 per cent. higher than those of 1830; yet consumption since then, calculated from sales, has increased 10,000,000 lbs. annually. The price of 1819, in Europe and the United States, were from 100 to 125 per cent. above the present; and coffee then cost to the consumer 25 cents ... in Boston ... British plantation, and 65 cents for St. Domingo. The reader is left to his own conclusions.

*From the Baltimore American.*

*Coffee.*—This article can no longer be classed among the luxuries of the country; it enters so largely into the daily consumption of almost every family, rich and poor, that its appropriate place is now a prominent one among the necessaries of life in the United States. Within a few years, especially, the consumption of coffee has increased rapidly, and it has at length attained a point which renders it a matter of some interest, both to the importer and dealer, to ascertain the aggregate quantity required annually for the wants of the country. A statement in a late number of the Boston Courier, prepared for the purpose of ascertaining this fact, sets down the annual consumption of the United states at 91 millions of pounds. A friend who has examined the Courier's statement, pronounces the estimated consumption to be greatly exaggerated, and in order to show as nearly as practicable the true quantity, and thus to counteract any overwrought or unreasonable expectations which the Boston estimate may lead to, has furnished us with the following statement of the actual imports and exports of coffee,

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and the estimated consumption, for the last twelve years up to the first of October last. The items of import and export for each year are correctly copied from the official returns to the treasury department.

| *Years.* | *Import.* | *Export.* | *Consumption.* |
|---|---|---|---|
| 1821 | *lbs.* 21,273,659 | *lbs.* 9,387,596 | *lbs.* 11,886,063 |
| 1822 | 25,782,390 | 7,267,119 | 18,515,271 |
| 1823 | 37,337,732 | 20,900,687 | 16,437,045 |
| 1824 | 31,224,296 | 19,427,227 | 11,797,069 |
| 1825 | 45,191,630 | 24,512,568 | 20,578,062 |
| 1826 | 37,319,497 | 11,584,713 | 25,734,784 |
| 1827 | 50,051,986 | 21,697,789 | 28,354,197 |
| 1828 | 55,194,697 | 16,037,964 | 39,156,733 |
| 1829 | 51,130,538 | 18,083,843 | 33,049,695 |
| 1830 | 51,488,248 | 13,124,561 | 38,363,687 |
| 1831 | 81,757,386 | 6,056,629 | 75,700,757 |
| 1832 | 91,722,329 | 55,251,158 | 36,471,171 |

*From which the following facts are gathered:*

The nett importation or consumption for the first six years, was *lbs.* 104,948,294
Do. do. for the last six years *lbs.* 251,096,240
Increase 25 millions per annum *lbs.* 150,147,946
Aggregate nett importation for 1827, 8 & 9 100,560,625
Do. do. 1830, 31 & 32 150,535,615
Increase—nearly 17 millions each year 49,974,990
The aggregate nett importation for 1829 & 30 71,413,382
Do. do. 1831 & 32 112,171,928
Increase 20 millions for each year 40,758,546
Aggregate consumptions for four last years about 180 millions, average 45 millions
Do. do. two last years about 110 million, average 55 millions.

And the following division of the consumption of each year, corresponds with either view, viz:

1829, consumption 30 millions,
1830, do. 40 do. } 180 millions.
1831, do. 50 } 110
1832, do. 60 }

At the same rate of increase, the consumption of the present year will be 70 million pounds.

NOTE BY THE EDITOR.

May not a part of the seemingly increased consumption, just above stated, be in an increased stock on hand? We do not think that the annual consumption in the United States much exceeds 50 millions of pounds. Coffee recently paid a duty of 5 cents per lb. but is now *free;* yet the price of the article has not fallen with the fall or abolition of the duty, and hence the consumption has not been increased on that account.

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## A NEWLY INVENTED PUMP, OF GREAT POWER.

*From the American Daily Advertiser.*

*Mr. Poulson*—It is but little known to us, that we have a great curiosity in this way at our Philadelphia navy yard, the invention of the ingenious commodore Barron.* It is placed on the wharf-platform, in the rear of the Pennsylvania man-of-war, so as to be ready at any time to demonstrate its power and perfection of operation. It is not bored in the usual manner into a log, but is formed of plank, forming a four sided box. Whilst seeing it giving up its barrel of water at every stroke of the quick and easy lever, I could not forbear to think what numerous sea vessels, of the merchant service, might be saved from foundering and loss, if it were once adopted in our commerce! In the naval service it would of course prove of saving value in all cases of destructive leaks from balls in the hull. Our chamber of commerce, and our marine insurance offices, have much interest in this matter, and ought, we should think, to endeavor to get its general use into our merchant service. It might be the saving of millions, in time, in sea risks, and, above all, the preservation of numerous lives of our mariners! When we read lately of the "one hundred horse power" applied to the draining of the dry dock at Boston, for the late presidential visit to the "Old Ironsides" there, we could not forbear to think that four such pumps as commodore Barron's, set by crank to a one horse power each, would have effected all [illegible] pumps, the contractors and engineers on our numerous railways, canals and public works, would facilitate their labors in draining required places—and mines subjected to water inundations, like our silver mines in North Carolina, and of the companies working in Mexico, would be saved the heavy sums they now disburse to keep them dry. Some that have been abandoned in South America, by their accumulation of water, might be again worked to profit. The same idea will enable us to contemplate the means of bringing morasses inland, and many water lands along our rivers, into a practicable means of draining them, and so making them capable of grass production. On the whole, as we have the demonstration of such a pump, so much needed, in so many of our operations, we hope hereafter to hear of its adoption generally throughout our country. With the inventor it is probably but a secondary concern, followed out to its accomplishment, as an amusement to an inventive mind; but with such powers as it possesses to benefit the public, it becomes matter of regret to contemplate it as resting in its present restricted use. I have only to add, that I hope the distinguished gentleman concerned will suffer this commendation from an unknown hand. UTILITY.

*The same gentleman has a model of a ship, to be formed wholly of logs, for war service and steam power, of such massive thickness, (of solid bulk), as to encounter singly any force of a hostile fleet, and to burn them with red hot balls. The idea is, if I understand it, with such protection in our waters, to make our usual expenses in fortifications unnecessary.

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## DR. SMITH'S MAGNETIC NEEDLE.

*From the National Intelligencer.*

Respecting this article, for marine and surveyor's compasses, of which, a manufactory has been established in this city, the evidence which he has exhibited satisfies us that it is a valuable invention. Its advantages are so well described in the following letter, selected from several we have seen on the subject, that every one interested will comprehend them without further explanation:

*Washington, 20th May,* 1833.

SIR: I have the honor to report, agreeably to your instructions relative to the examination of the improved needles of Dr. Smith, that I have had them for some time past under examination, and have carefully tested their qualities by a variety of experiments, and believe them to be very superior to the common needles now in use.

In the manufacture of the common needles, there has always been great neglect both in providing a suitable material, and adopting a regular form, it being left for the most part to the convenience and fancy of the workmen, and the size and shape of the material, which is, no doubt, one of the many causes of the great discrepancies observed in their action and results.

This is very far from being the case with the needles manufactured by Dr. Smith; he has adopted a form which he has found by long experience to be the most fit, and most tenaciously adheres to it: his material is of the first quality, and carefully worked, great attention being paid to magnetizing it. He also supplies his needles with what he calls *feeders*, small pieces of soft iron that slide on it, placed near its ends, thereby concentrating all the small magnets, (which exists more of less), near its points, giving more steadiness, and a greater directive power to his needles, and avoiding, in a great degree, the local attraction to which his needles may be subjected.

I ascertained this last to my entire satisfaction, by subjecting the same needle with and without feeders, to an attractive force, in the following manner, viz: One of his needles was suspended on a fine point, placed in the centre of a number of concentric circles, drawn around it half an inch apart on a table; when the needle was approached armed with its feeders, I found that I could approach much nearer to it with an attractive force without disturbing it, than when it was unarmed, or without the feeders; the difference I found was generally about two of the circles, or an inch, when the body approached was a strong magnet, and a much greater force to cause deviation than they would ever be subject to on ship-board; proving conclusively that they were a protection, or security against local attraction, and this security appeared to be in proportion as the feeders were placed near to, or farther from the centre of the needles; the feeders appeared in some cases too small, the proportion between the feeder and needle not being in my opinion as yet well ascertained. The needles are remarkably active, and possess much more directive power than those of the common kind now in use, (with which they were compared), when drawn aside settling again very quickly on the magnetic meridian.

Dr. Smith's manner of restoring deranged needles by concussion with his "electric rod," is simple, and effective by one who is experienced; he seldom, if ever failed himself; but I am not able to impute to myself so much adroitness in applying the proper degree of force required; I am disposed to think, by a little practice, it may be easily acquired; one thing is most certain, it is the manner of restoring a deranged needle, so simple, and in the possession of all, that when once known, few will be willing to leave untried.

I beg leave to add, that I feel indebted to Dr. Smith for the obliging manner in which he has shewn me the whole process of manufacturing his needle, and satisfying my numerous inquiries, and feel confidence in recommending him to your notice, be- [illegible] needles, that they are a valuable improvement, and highly deserving your patronage. With great respect, &c.

CHARLES WILKES, jr.
*Lieut. U. S. navy, attached to depot ins.*

To com. *John Rodgers, &c. &c.*

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## MINT OF THE UNITED STATES.

*Message from the president of the United States, transmitting a report of the operations of the mint during the year 1832.*

JANUARY 21, 1833—READ AND LAID ON THE TABLE.

*Washington, 19th Jan.* 1833.

I transmit to congress a report from the director of the mint, exhibiting the operations of that institution during the year 1832.

ANDREW JACKSON.

*To the hon. the speaker of the house of representatives of the U. S.*

*Mint of the U. States, Philadelphia, Jan.* 15, 1833.

SIR: I have now the honor to submit a report on the general transactions of the mint during the last year, ending 31st December.

The coinage effected within that period amounts to $3,401,055, comprising $798,435 in gold coins, $2,579,000 in silver, and

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$23,620 in copper, and consisting of 9,128,387 pieces of coin, viz:

| | | | | |
|---|---|---|---|---|
| Half eagles | 157,487 | pieces | making | $787,435 |
| Quarter eagles | 4,400 | do. | do. | 11,000 |
| Half dollars | 4,797,000 | do. | do. | 2,398,500 |
| Quarter dollars | 320,000 | do. | do. | 80,000 |
| Dimes | 522,500 | do. | do. | 52,250 |
| Half dimes | 965,000 | do. | do. | 48,250 |
| Cents | 2,362,000 | do. | do. | 23,620 |
| | 9,128,387 | | | $3,401,055 |

Of the amount of gold coined within the last year, about $60,000 were derived from Mexico, South America, and the West Indies; $28,900 from Africa; $678,000 from the gold region of the United States, and about $12,000 from sources not ascertained.

Of the amount of gold of the United States, above mentioned, about $34,000 may be stated to have been received from Virginia; $458,000 from North Carolina; $45,000 from South Carolina; $140,000 from Georgia; and abuut $1,000 from Tennessee.

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The following statement exhibits the quantity of gold received from those districts of the United States which have thus far produced it in quantities sufficient to attract notice, commencing with the year 1824. Up to that period it had been received at the mint only from North Carolina, from which quarter gold was first transmitted for coinage in the year 1804. During the interval, however, from 1804 to 1823, inclusive, the amount had not exceeded 2,500 yearly.

| | Virginia. | N. Carolina. | S. Carolina. | Georgia. | Tennessee. | Alabama. | Total. |
|---|---|---|---|---|---|---|---|
| 1824 | — | 5,000 | — | — | — | — | 5,000 |
| 1825 | — | 17,000 | — | — | — | — | 17,000 |
| 1826 | — | 20,000 | — | — | — | — | 20,000 |
| 1827 | — | 21,000 | — | — | — | — | 21,000 |
| 1828 | — | 46,000 | — | — | — | — | 46,000 |
| 1829 | 2,500 | 134,000 | 3,500 | — | — | — | 140,000 |
| 1830 | 24,000 | 204,000 | 26,000 | 212,000 | — | — | 466,000 |
| 1831 | 26,000 | 294,000 | 22,000 | 176,000 | 1,000 | 1,000 | 520,000 |
| 1832 | 34,000 | 458,000 | 45,000 | 140,000 | 1,000 | — | 678,000 |
| | 86,500 | 1,190,000 | 96,500 | 523,000 | 2,000 | 1,000 | 1,913,000 |

It is rendered highly probable, by estimates entitled to great respect, that the quantity of gold of the U. States, delivered at the mint within the last year does not much exceed the one-half of the production from the mines—nearly an equal amount being supposed to have been exported uncoined, or employed in the arts. If this conjecture be nearly correct, the production of gold from the United States, during the year has not been less than a million and a quarter of dollars. This may be regarded as equal to one-sixth part of all the gold produced, within the same period, from the mines of Europe and America, estimated according to the results of recent years, as given by the best authorities.

The prevalence of a fearful epidemic in this and other cities of the United States, was sensibly felt in a diminution of the usual demands on the mint, and its productiveness within the third quarter of the year. In every department of the institution labor was, during the prevalence of the danger, more lightly exacted; and it is stated, with much pleasure, that no individual employed in the establishment, became a subject of the disease.

Operations, I have now the satisfaction to say, have been commenced in the new mint for the proof of the machinery; and all the departments of the institution will be transferred in a few days to that edifice.

I have the honor to be, with great respect, your obedient servant, SAMUEL MOORE.

*The president of the United States.*

*From the Calumet.*

It will be seen by the report that *seven* essays (of the thirty-seven which have been presented for the premium), were selected by a committee appointed by the board and transmitted to the umpires. The following is the decision which was received the 7th of May last:

The subscribers, according to the request of the committee of the American peace society, have carefully read the several essays, which have been transmitted to them by the committee, for the purpose of awarding the prizes authorised by the society for the two essays.

Upon full consideration, they are of opinion that five of the essays possess very high merit; and that their merit is so nearly equal, and yet of so distinct a character, that injustice would be done by awarding the highest prize to any one, to the exclusion of the others. With a view, therefore, to a just distribution of the prizes, and, as the best means of accomplishing the important objects of the society, they respectfully recommend, in lieu of the prizes, as proposed by the society, that the whole sum of six hundred dollars should be equally divided among the authors of these five essays; and that each of them should be published for general distribution.

In testimony whereof, we have hereunto set our hands, this 29th day of April, 1833.

JOSEPH STORY,
WM. WIRT,
JOHN McLEAN.

As this decision does not meet the views of the society or the donors of the prize, it being too much to print and publish the five essays, and must also disappoint the expectations of the writers, it is judged inexpedient to accept it as the final decision. While the society and the donors of the premium are grateful for the services of the umpires, they are happy to know by communications from two of them, that it will meet their approbation to consider the decision as not made, as it was their united opinion that no other judgment could justly be passed on the essays submitted to their inspection, no one of them having the desirable superiority.

It being determined also to renew the offer of the premium with an increase of the prize, it is judged inexpedient to open the letters of the five selected essays, or to publish the mottos.

To those who have favored the society by writing for the cause, respectful acknowledgments are cordially made, and their renewed efforts earnestly solicited. They are requested to look at the conditions of the premium, with particular reference to the wishes of the donors. L. D. DEWEY.

*Recording sec. A. P. society.*

*June*, 1833.

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$1,000 PREMIUM.

By the liberality of two friends of the cause of peace, the board of the American peace society are enabled to offer the premium of 1,000 dollars for the best essay on a congress, or court of nations, for the amicable settlement of national differences and the abolition of war. Should two essays be of equal, or nearly equal merit, the premium will be divided in correspondent proportions between them, if both are esteemed worthy of the prize.

The conditions are, that the essay contain from 60 to 150 octavo pages, or about these limits; all the manuscripts to be at the disposal of the society, both the successful and rejected essays. The essays to be transmitted free of expense to the office of the peace society, 129, Nassau street, New York, directed to L. D. Dewey, before June 20th, 1834.

The wish of the society, and of the donors of the premium is, that the essay may, under God, effect, as to the subject of war, a revolution in the public mind—may, if possible, produce in the sentiments men have on this subject, a change radical and entire—may effectually demonstrate that war is needless; that, in fact, it is as practicable as rational, for nations to decide their differences by reason; that resort to the sword is irrationally brutal, and cruel, and wicked, and absurd. As rulers, acting accordantly with public opinion, do now require those whom they rule to settle their differences peaceably; so, the change that is desired being wrought, the people by the resistless power of their united calls—the energetic influence of the popular voice rightly expressed, shall cause that statesmen become true ministers—the nation's servants shall adjust all difficulties of the nation, in the same *rightful* and LEGAL *way*. The essay which shall carry conviction to people and governments, that national differences can be settled without recourse to arms—ought to be, if men are rational beings—and must be, ere the full reign of the Saviour on earth can commence, is the one sought for. It needs then to show how unadapted to adjust national differences is the brutal force of war, that teeming source of human ills—to show, in reference to this adjustment, the perfect fitness of a court of nations, its advantages, its feasibility.

Should not the gentlemen who examined the essays before, find it in their power to act as umpires again, other distinguished gentlemen will be selected. *Cor. sec. A. P. S.*

## RUSH'S MEMORANDA.

Mr. *Richard Rush*, formerly our minister at London, and more recently secretary of the treasury of the United Sates, has just published a volume entitled "*Memoranda of a residence at the court of London*," from which it is probable that we shall make some liberal extracts, [illegible] introduce the following notice of an important subject, as we find it neatly prepared in the "Baltimore American."

Speaking of Mr. R's narratives of diplomatic conversations, &c. the "American" observes—

The *question of impressment* was one, the settlement of which, by treaty or convention, was a subject to which the attention of Mr. Rush was especially directed. As it is one of great importance, and one of the points still in controversy, it may be acceptable to our readers to know the precise terms which Mr. Rush was empowered to offer, and did offer to the British government, and the grounds upon which they were refused. We doubt whether any such offers will ever be made again.

Mr. Rush's first and least favorable proposition for the British side of the question was, that both nations should reciprocally enter into stipulations imposing restraints upon the naturalization of the seamen of the other, and excluding from their service all seamen not naturalized. After reciting the provisions of the act of congress of 1813, Mr. Rush promised that the U. States would further provide "that every British subject desiring to become a citizen, should be bound to appear in person before the proper tribunal, once a year for the term of five years, until his right should be completed," or adopt some other more prac-

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tical and satisfactory mode of ascertaining that his residence had been *bona fide* and uninterrupted. The United States were further to agree that no British seaman who might be in their territory at the time of the stipulation, should be admitted into public or private ships till after the expiration of the regular term of naturalization. In return, a distinct provision was asked from Great Britain, not to impress out of American vessels. This offer was made by Mr. Rush, April 18th, 1818. The answer of lord Castlereagh, dated June 11th, was short. He said that "on full consideration of the proposal, the cabinet had not found it practicable to forego, under any arrangement, the execution of which was to depend upon the legislative ordinances of another country, the right of Great Britain to look for her subjects on the high seas, into whatever service they might wander." In reply to an inquiry from Mr. Rush, whether any proposals would be submitted on the part of Great Britain, lord Castlereagh answered that he was prepared with none that did not assume as a basis the right of entering our vessels; but he offered to enter into stipulations for a tender exercise of this right, restricting the boarding officers to those of rank not below lieutenants, giving "*responsible receipts*" for the men taken out, &c. —which were declined upon the general ground that the United States would not admit the right of entry at all for any such purpose.

On the 20th June, 1818, Mr. Rush thereupon made another and final offer—and truly it seems to us that concession could not possibly go further. He proposed that both nations should rigidly exclude from all vessels, public or private, all native born subjects or citizens of the other. The same precautions, as in the former offer, to be taken to prevent imposition; seamen already naturalized to be excluded; and each party to have power to grant licenses to its own seamen to enter the service of the other. By such an agreement all British subjects in the United States, not naturalized at that date, or who should arrive subsequently, were to be peremptorily excluded from the ships of the United States, public or private. In return, the stipulation not to enter American ships was required of Great Britain. This proposition was also rejected, and afterwards reconsidered by the British, and two conditions annexed; one of which was refused by the American negotiators and withdrawn by lord Castlereagh. The other was accepted. It was a stipulation that the treaty should be revocable at short notice by either party.

The negotiation being opened, the British brought forward a counter project. This project accepted all the terms of the American project, as to the exclusions and exceptions of seamen. Other requisitions were made and debated, agreed to or withdrawn, but they are not material, as the whole negotiation went off on two points. The British proposal required that each nation should furnish the other with a list of the *names* of persons to be excepted out of the exclusion from sea service—specifying the place of birth and the date of naturalization of each, and that none but those whose names were on the list should fall within the exception. The Americans proposed as a substitute, that no person should be entitled to the exemption "unless he produced proof of his having been duly naturalized prior to the exchange of ratifications of the treaty"—which was rejected on the other side. The other point upon which the question went off was, the demand of the British commissioners that the treaty should take effect from its "signature"—which the Americans could not constitutionally consent to, and proposed, from the "exchange of ratifications"—which was also refused. This seems to us so *trifling* a point to be insisted on, that the inference is natural that the British ministry had no serious intention of making a treaty on the subject at all. On these two points the negotiation, in the language of Mr. Rush, "fell to the ground."

## DIPLOMATIC HISTORY.

Most of our readers, we suppose, are apprised that there is in the press, at the office of the publishers of this paper, a compilation of public documents communicated to or emanating from congress, which, under the title of "*American State Papers*," embraces the whole documentory history of the United States, from the [illegible]

Few, however, would, without particular examination, realize the value and interest of this compilation, which is under the direction of the secretary of the senate and the clerk of the house of representatives, and is sanctioned by the authority of congress. The papers are divided into classes, the first class being that of foreign relations. Of the papers belonging to this class, many have never before been seen by the public eye, having been communicated originally in *confidence*, the reasons for which have now ceased. Some of these documents are curious enough. We have just lit upon the subjoined, which recalls to the mind old times and circumstances which are rapidly fading from memory. It is as amusing a sample of diplomacy as one would desire to see on a summer's day. [At the date of this letter, it will be bore in mind, Don Onis was here as minister from the cortes of Spain, but not recognized, king Joseph being at the head of the goverment of that country.] We dare say our readers will be instructed as well as amused by it, and so we here insert it. *National Intelligencer.*

CONFIDENTIAL.

*To the senate and house of representatives of the United States:*

I communicate to congress, in confidence, the translation of a letter from Louis de Onis, to the captain general of the province of the Caraccas.

The tendency of misrepresentations and suggestio[illegible] which, it may be inferred from this specimen, enter into more im[illegible]portant correspondences of the writer, to promote in foreign councils, at a critical period, views adverse to the peace and to the best interests of our country, render the contents of the letter of sufficient moment to be made known to the legislature.

JAMES MADISON.

*January 10th*, 1811.

*Translation of a letter from Luis de Onis to the captain general of the province of the Caraccas, dated*

*Philadelphia*, 2d *Feb.* 1810.

The administration of this government having put the stamp upon the servile meanness and adulation in which they stand in relation to their oracle Bonaparte, the day before yesterday, by their direction, Mr. Eppes, the son in-law of the former president, Jefferson, made a proposition, that a minister should be immediately sent to Joseph Bonaparte, at Madrid: this was supported in the committee in which the house then was by Mr. Cutts, who is the brother in-law of president Madison. There were various debates: there were howlings in the tribunals: there were sarcasms against the supreme central junta, and many trifling observations from one party and the other, among which mention was made of the arrival of a minister from the supreme junta, and of this government's having wisely refused to receive him; and at length a vote was taken, from which it resulted that, for the present, no minister was to be sent to Joseph.

In the annexed paper you will see all the debates, which, for want of time, I have not been able to have translated: if your excellency should not be informed, by my former despatches, of the mode of thinking of the present administration, this alone will show the little hope there is of obtaining any thing favorable from it, *but by energy, by force, and by chastisement.*

The facility, I again repeat it, and I will repeat it a thousand times, with which American vessels are admitted into our colonies, preferring them to our own, makes these people believe, that our weakness does not permit us even to talk to them on equal terms, much less to take measures which may injure them. From hence springs the great opinion (la grande opinion) they have, that the intruder, Joseph, will rule in Spain and her colonies; and hence the incitement to their scandalous conduct in promoting, by every means in their power, the machinations of Joseph, to make himself master of our colonies; as if upon that depended their happiness.

The determination of making war on England, and of treating Spain with contempt, supposing that her nullity did not entitle her to any thing else, was taken by the present administration some time since, though it was not in them the determination of reason. To accomplish it, they thought of forming an alliance, offensive and defensive, between France, Russia, Denmark, Sweden and the United States; and some even suppose that it is formed. With this object, they have sent Mr. Adams to the court of Petersburg, in quality of minister plenipotentiary, directing him to examine on his way (haciendole recorrer al paso) the courts of Stockholm and Copenhagen; but, notwithstanding this, if England should display her energy, in however small a degree, and if, on our part, some vessels should be sent to their coasts, and some troops should draw near to Louisiana, there is reason to believe that we should see these provinces separated and divided into two or three republics, and consequently they would remain in a state of perfect nullity. We should soon have from the republic of the north, which would be our friend, all the supplies which are now drawn from the others, who would perish, from poverty and quarrels among themselves.

This country is now without a cent, with a deficit of four millions of dollars in her revenue; with not more of an effective army than 6,000 despicable men—of whom 2,500 that they had at New Orleans, are reduced by death to 600; and, although they have passed a law for 100,000, much time and money will be necessary to organize them. Its navy is, for the most part, disarmed, although they propose to arm it, and the whole of it[illegible] ple is such, that the secretary of the treasury, Gallatin, speaking with colonel Joseph de Gonzales, late governor of Puno, who, from his having come from the Havana, Mexico and other provinces, he believed (not knowing his integrity) to be one of the many emissaries of Napoleon (the cast which abounds most here) offered to him the constitution of Paine, and other papers relative to the liberty which here they dispute about, persuading him to send them to Mexico, and our other colonies, and that he should endeavor to induce them to unite themselves to this republic: that here they were ready, if this succeeded, to move near to them, or even to place in their country the seat of government. These, sir, are the ideas with which this administration is animated. Notwithstanding, at the time they observed this conduct, they sent general Sumter, in the character of minister plenipotentiary, to Rio Janeiro.

God preserve you many years. LUIS DE ONIS.

*To the captain general of the province of Caraccas.*

## HARBORS ON LAKE ERIE.

*From the Cleveland Advertiser.*

A statement in the report of the engineer department accompanying the last annual report of the secretary of war, shews

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the amount expended on the various works to October 1, 1832. The moneys undrawn from the treasury, and those in the hands of agents at that time, which are still applicable to their completion are also given, as follows:

| | *Cost to Oct. 1, 1833.* | *Undrawn from treasury.* | *In the hands of agents Oct. 1, 1832.* |
|---|---|---|---|
| Buffalo | $81,584 | | 6,309 |
| Black Rock | 36,197 | 2,600 | 1,300 |
| Dunkirk | 29,257 | 5,200 | 3,000 |
| Erie | 46,240 | 1,500 | 1,072 |
| Cunningham's creek or Madison | 7,616 | | 356 |
| Conneaut | 22,237 | 5,300 | 268 |
| Ashtabula | 28,854 | 900 | 2,403 |
| Grand river | 24,825 | 3,065 | 1,167 |
| Cleveland | 28,802 | 4,325 | 1,108 |
| Black river | 28,352 | 4,600 | 382 |
| Huron river | 21,213 | 730 | 265 |
| La Plaisance Bay | 6,272 | 8,123 | |
| | $361,349 | | |
| LIGHT HOUSES, &c. | | | |
| | *Appropriation.* | | |
| Light house at Buffalo | 5,736 | 2,500 | 1,525 |
| " Cleveland | 1,740 | | 341 |
| Bacon light at G. River | 364 | | 151 |

Several of the above harbors will not require any more expenditures to complete them beyond what has been appropriated. The engineer estimates for further appropriations to complete those of Buffalo, Erie, Cunningham creek, Ashtabula and Black river. The appropriate committee in congress report for $32,000 to carry on the works at Buffalo. These harbors when finished will have cost probably half a million of dollars. The engineer's report in reference to the above work, says, "the plans adopted for deepening channels at the mouths of rivers which were choked up with sand, have afforded, in their execution, a result far exceeding the expectation of all who were acquainted with their situation prior to the commencement of their improvement." Works of a similar character, it may be observed, have been known in other parts of the world for many ages; but here they have had all the difficulties of an experiment. The artificial harbors of Ramsgate and Yarmouth in England are said to be of a like description with those of Lake Erie. The one at Ramsgate was not completed for forty years from its commencement, and cost $2,600,000—the piers built of stone. The one at Yarmouth has been rebuilt seven or eight times, and the annual cost of keeping it in repair is $9,000.

Herod, the great, built an artificial harbor at Cæsaria to secure vessels from the strong south west winds of the Mediterranean sea. He first formed a strong mole or break water, somewhat like the one now building in the Delaware below Philadelphia, by sinking stones of fifty feet long, eighteen feet wide and nine feet deep, and which therefore must have weighed about 600 tons each. On this arose a pier 200 feet wide defended by a wall and towers.

We notice in the engineer's report the improvements making in the navigation of the Ohio and Mississippi rivers in removing snags, sawyers, &c. In the Ohio the deepening of the channel by means of "wing dams" promises to be a great benefit to the navigation of that river. The superintendent says, "that work which was formerly viewed as an experiment is now reduced to a practical certainty. The bars throughout the whole extent of the Ohio river can be removed in such a manner as to produce a safe and uniform navigation at its lowest stage of water with steam boats drawing four feet of water. The five bars that have been operated on were by far the most difficult and shoalest in the Ohio from the mouth of the Scioto to the Mississippi river, and had but two feet of water at the lowest stage of the river." It is auspicious that these improvements in the lower Ohio are making in conjunction with the completion of the Ohio canal, thus facilitating transportation and travel, which will be indefinitely augmenting; and at the same time perfecting THE LONGEST LINE OF INLAND NAVIGATION OF WHICH THE WORLD IS

## THE FLORIDA KEYS.

A writer in the Charleston Mercury is presenting the public with some interesting sketches of Florida. We extract the following notices of the cotton, torchwood, manchenele and mangrove trees.

*The cotton tree* is indigenous, not only to Florida keys, but also to the main as far north as the latitude of Charleston harbor. It resembles in color, (being yellow), the East India nankeens; the texture is woolly, and the plant perennial. It grows 10, 12 and 15 feet high. I am not aware that any experiments have been made in the cultivation of this cotton. May it not be the same plant, seed of which has been sent to the states under the name of *Peruvian cotton?*

*The torchwood tree*, as its name imparts, is used for torches, it burns bright like lightwood; and in combustion emits a pleasant odour resembling frankincense. From its pleasant smell, it is much used for smoking out mosquetoes.

*The manchenele*, when cut, emits a milky fluid, which, if applied to the human body, is peculiarly irritating, and by some held to be poisonous. I recollect an anecdote which proves that the irritating proprieties may be communicated to the human body without actual contact, and that it may be driven off by decomposition resulting from heat. A number of men were engaged clearing a road, they had cut down and set fire to several manchenele trees. Three or four men of the party incautiously sat down to leeward of the burning trees; the smoke being conveyed to them by the wind, produced a violent inflammation in all parts of their bodies which were uncovered. The inflammation, however, was most acute about the face and eyes. They were led home like blind men, in a "pretty pickle." They were very soon relieved by a solution of sugar of lead and opium, applied constantly with wet cloths, until the heat and pain subsided. I have never known fatal consequences to follow the application of the manchenele.

*Mangrove*—I must not forget to mention this tree, and its connexion with the collection and formation of soil, to which it is admirably adapted. A beautiful illustration of the formation of earth from the sea, is exhibited on the Florida reef and keys. In fact it may be traced from the incipient formation of various sponges coral, &c. to the establishment of dry land. So soon as the sponge, coral, or even a sand bank approaches within a foot or eighteen inches of the water, the mangrova attaches itself. The seed of the mangrove resembles a long bean 12 or 14 inches in length. As soon as ripe, it falls from the tree into the water, one end being heavier than the other, it floats about perpendicularly, until it reaches some shoal spot, when it fixes itself to the bottom, takes root, and becomes a tree. The roots of this tree in process of time form a complete network, in which all floating materials, sea weed and sand are collected. I have seen mangrove islands, (as they are called), of several acres in extent, which did not contain one single *foot of dry land*. Nay more—I have seen channel ways of 12 and 14 feet deep, passing through these islands, over which a natural bridge had been formed, by the mangrove roots. In other places, I have known a few mangrove trees, by attaching themselves to a small sand bank, collect large beds of sand around them, upon which the sea deposites its shells and birds of the air their eggs, and the seed of various plants which they may have collected in their migrations. In process of time, when a soil capable of supporting a stronger growth is formed, the mangrove having performed its destined use, dies and is supplanted. There can be no doubt, but that the whole of the Florida keys have been formed in this way. That is to say: by the growth of coral and sponges, the drift of sand by currents, the growth and offices of the mangrove, and depositions of the sea and of birds.

A naturalist, who is well qualified for the task, might reap an abundant harvest at Key West and along the reef. Many plants have been discovered on the keys, peculiar to the West Indies, and not known as indigenous to the United States, which have undoubtedly been brought over by birds from the tropics. These birds must be found by the naturalist who has time and patience to spend the whole year in this section of country, as they probably migrate at particular seasons. Several birds have already been found not hitherto known or described as inhabiting the United States. And why not others? The birds *peculiar* to the Florida keys may be had in great quantities, and shells and coral by cart loads, provided one is an adept at obtaining them.

## SALT MANUFACTORY.

*From the Barnstable Journal.*

The manufacture of salt by solar evaporation whether regarded as a source of individual wealth, or as a branch of our national industry, is one of no little importance. Necessity compelled the inhabitants of this country to engage in it; and under the fostering care of our government, they have been encouraged to invest a million and a half of dollars in this manufacture. We shall give a history of the establishment of the manufacture in this country; an account of the improvements which have from time to time been made in the manner of constructing salt works; and, of the present condition of the manufacture.

Sixty years ago, there were many small establishments in this county for boiling salt from sea water. That of Messrs. Obed E. Smith and Job Chase, at Harwich, consisted of twelve kettles, of sixteen gallons each, set in mason work, and protected, by a low building, from the weather. At first they [illegible] by a little pump, afterwards by a wind mill, and conveyed it in spouts to the boilers. This establishment was continued till after the close of the revolutionary war, a period of more than twenty years. In Falmouth and Barnstable there were similar establishments. In fact, the restrictions imposed on our commerce by the British parliament for several years prior to the revolution, by cutting off the supply of foreign salt, compelled almost every man on the seaboard to become a petty manufacturer. The exhorbitant price of foreign salt, and the distress occasioned by the revolution, obliged many to continue this petty business, and induced others to adopt other means for making salt for their own consumption. Soon after the close of that war, boiling salt was discontinued, and has not since been resumed in this county.

The salt made by boiling was a very inferior article. It was fine grained, and imperfectly separated from the lime salts of the bittern, and other impurities contained in sea water. Of the labor and expense of boiling salt, we may, without entering into an exact calculation, form a very correct estimation. In order to obtain a single bushel of salt, eight barrels, or 252 gallons of sea water had to be evaporated, for the most part, in kettles ill adapted to that purpose, hanging over a fire, or set in mason work unprotected from the weather.

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An apparently unimportant observation, one of those small incidents which often pave the way to great discoveries, established the fact that salt could be made in this climate by solar evaporation. Several salt boilers at Harwich remarked that some clam shells on the sea shore contained minute chrystals of salt. These they concluded must have been formed by the drying away of the water left in them by the tide. The correctness of this opinion they soon ascertained by filling several and setting them on posts. Mr. Ammiel Weeks, of that town, made another experiment, which was more satisfactory. He constructed a shallow box, open at the top, six feet in length by two in width, and divided into three compartments by narrow strips of a board placed crosswise on the inside. This he filled with sea water, and exposed to the sun's rays in fair weather, and at other times kept it covered. With this simple apparatus he manufactured salt sufficient for his own consumption. This experiment was made in the year 1774 or 1775, and was probably the first salt made in New England by solar evaporation.

About the same time that Mr. Weeks made his experiment, an unsuccessful attempt to manufacture salt was made at the Isle of Shoals. A vat about ten feet square, and a foot in depth, was scooped out in the ground, and made tight with a layer of clay. Over this a rude frame was placed, to support the boards that were laid over it to form a covering on the approach of a storm.

The first attempt to manufacture salt in works constructed on the plan now generally adopted in this country, was made in 1776 or 7, by John Sears of Dennis. He was a poor man and had previously led a sea-faring life. Possessing an inventive genius, he conceived a plan for manufacturing salt by a less tedious and less expensive process than the boiling down of sea water. Wanting the means to test the practicability of the plan, he associated himself with Edward Sears, Christopher and Edward Crowell. The latter had seen the works at the Isle of Shoals, to which reference has been made; but it does not appear that John Sears had any knowledge that salt had ever been made in works similar to the ones he proposed building.

The situation which they selected for the erection of their manufactory, is on Quivet Neck, in the northerly part of Dennis, [then Yarmouth] at a small distance from the sea shore. The vat, or bottom, as it is generally called, was constructed 100 feet in length and 10 in width and all on the same level. The flooring was white pine plank, laid on oaken sleepers, the latter running crosswise, and the former lengthwise. The gunnels were also of plank, eight inches deep and secured on the flooring by upright pieces mortised into the ends of the sleepers, and by knees passing under the flooring and on the outer sides of the gunnel pieces. The corners of the vat were also secured by knees. The roof was curiously fashioned. Rafters grooved on each side were permanently fastened to the gunnels, at the distance of from five to six feet of each other. The doors were made of a corresponding width, and consisted of several boards of the same length with the rafters, clamped together like a common door. These were slid obliquely upwards and downwards, in the grooves of the rafters, when occasion required, and they were prevented from sagging in the centre by slender rafters placed between the principal ones. It was soon found necessary to have a separate vat for chrystalizing the salt. A partition was accordingly placed across the original vat, dividing it into two.

For the two first years, water for the supply of his salt work was brought in pails from the sea shore; it was then removed about three-fourths of a mile, to the situation on which one-fourth of it now stands. A little before the close of the revolution, Mr. Sears procured one of the pumps of the British ship of war Somerset, wrecked on the coast of Cape Cod, and erected it for the supply of his manufactory with water, and to avoid the labor of bailing. About 1790 he constructed a mill on the plan of those now in common use.

Like other inventors, Mr. Sears did not escape the shafts of ridicule. For a long time his manufactory was known by the appellation of "John Sears' Folly," and to avoid the sneers of the vulgar, he constructed his mill in secret.

In Brewster, then Harwich, Mr. Scotto Clark, and rev. Mr. Dunster, commenced the manufacture a little before the close of the revolution. Their works were built on "Broad Point," in the north part of that town, and were constructed like Sears', except they were divided into three vats. They had no pump for several years—afterwards one constructed like a common hand pump. These works are now in good repair, and owned by Mark Clark. Mr. Nathaniel Freeman, of Brewster, also built salt works about the same time.

In Barnstable, the first salt works were built by Mr. Admo Hinckley and Nathaniel Gorham, in the year 1779. They were constructed on Mr. Sears' plan, about fifty feet in length and ten wide, and divided into two vats. The water for the manufactory was carted from the sea shore, about a fourth of a mile distant from the works.

In other parts of the county, there were works similar to the latter, for the manufacture of salt by solar evaporation, but they were all broken up soon after the close of the revolution.

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## SALT FORMATION

### IN THE VALLEY OF THE OHIO.

The fifth article in the last number of the Journal of Science and Arts is entitled "Observations on the saliferous rock formation in the valley of the Ohio," by Dr. S. P. Hildreth, of Marietta. It conveys much curious and valuable information, parts of which we copy for the benefit of our readers.

"For many years after settlements had been commenced west of the Alleghany mountains, the inhabitants were entirely dependent on their brethren east of the Appalachian ridge for salt; an article so necessary to the existence and comfort of civilized man. It was transported, with immense labor, through narrow defiles, and almost impassable roads across the mountain ranges, on the backs of horses. Long trains of these useful animals might be seen toiling up the steep sides of the mountains, their uncouth pack-saddles laden with kegs of salt, iron ware, and other merchandise, destined for the use of the early settlers. This for a long time was the only mode of transportation. At length rude roads were constructed which could be traversed with wagons, and they caused some reduction in the cost of transportation, but it was not until the completion of the 'National or Cumberland road,' that travelling in carriages could be effected with either ease or safety. From the year 178[illegible] to the year 1800, the price of salt varied from four to eight dollars per bushel; and it was supposed by the inhabitants, that its cost would always prove a serious drawback on the prosperity of the country. The upward navigation of the Ohio and Mississippi rivers was long and tedious, requiring from four to six months to accomplish the voyage from New Orleans, and the outlet being owned by a foreign nation, forbade the expectation of relief from that quarter. Iron, so indispensable in agricultural pursuits, was another heavy item of expense, and was, for many years, transported in the same tedious way, until iron ore was discovered in the Laurel mountains and furnaces were erected. From that period, they have been gradually extending down the river, until no portion of the United States is more cheaply or more abundantly supplied with iron than the valley of the Ohio. Salt, so valuable and so scarce in these early days, as to be looked upon almost as a luxury, has now become so abundant as to sell for half a cent per pound. The all wise and beneficent Creator, who formed this earth for the habitation of man, has stored it with all things necessary for his comfort and happiness. In every region remote from the ocean, he has deposited in the bowels of the earth, vast magazines of salt. The interior of Africa, Asia and America, contains, in the form of rock or native salt, or of springs, fountains or lakes, or of efflorescences, a sufficient supply for the wants of all the inhabitants. The valley of the Ohio, from its head water to Shawneetown, in Illinois, may be said to be based on a saliferous rock, affording an abundance of water, highly charged with muriate of soda, and affording it in abundance, wherever perforations have been made, of a sufficient depth to reach the precious deposit. There are many evidences of its extending, along the course of the Alleghany range, for more than one hundred miles in breadth, and for several hundred in length. The salt rock commences near its western and northern base, in the coal and sandstone region, and extends as far north and west as these two interesting formations are found. In Ohio, sandstone and coal are abundant, from the mouth of Big Beaver to some miles below the mouth of the Sciota, and they cover a tract of country, between these two points, from forty to eighty miles in width on the northern bank of the Ohio. If the salt deposit extends as far north as Lake Erie, it is probably very thin, or else it descends deep into the earth; as few or no indications of salt are found north of these boundaries. A few miles below the mouth of Big Sandy, the Ohio takes a more westerly course and the sandstone is left on its southern shore. At the western and northern termination of the sand rock, the lime rock commences and continues with little interruption to the Mississippi river, and the great northern lakes. Salt water can doubtless be found in all that region, where sandstone prevails, as the two formations are known to accompany each other. The superincumbent strata, composed of sandstone, argillite, marl-slate, &c. as will be more fully shown in another place, varies in thickness from five hundred to twelve hundred feet; and it appears to sink deeper into the earth, on or near the Ohio, as the salt rock is reached at less and less depth, as we ascend the streams discharging their waters into this river. This is especially the fact with the salt wells in the Muskingum and Big Kenhawa rivers. [illegible] short of two hundred and fifty feet, while thirty miles below it is eight hundred and fifty feet to the lower salt stratum. From several circumstances, it would seem to be a fact that the ancient inhabitants of this valley were not unacquainted with the use and the manufacture of salt. In wells at the Sciota Salines, and at the Blue Licks in Kentucky, the beds of furnaces, and large fragments of broken pots, made of coarse earthenware, were repeatedly found, at considerable depths below the present surface; affording strong presumptive evidence, that the quality of the water was known, and that it had been applied to the wants of man in ages long since passed away. Tusks and grinders of the elephant and mastodon, were also found in digging the salt wells at both these places. The attraction of wild beasts to these salines, probably first brought them to the notice of man. At the licks on the Kenhawa, several indications were discovered of their having been in use long before they were known to any white man.

"The first attempt at manufacturing salt in Ohio, was made about the year 1798, at what is now called the 'Old Sciota salt works.' This spot is in Jackson county, on the banks of a small creek, called Salt Creek, a tributary of the river Sciota. The wells were dug near the creek to the depth of twenty or thirty feet, and the salt water rose into the excavations from crevices

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in the rock below. The present mode of piercing the rocks was not known until many years after. The water thus procured was but weakly impregnated with salt, and required from six to eight hundred gallons to make a bushel of fifty pounds weight. It was also very dark colored, and filled with the bittern, composed chiefly of muriates of lime and magnesia; the manufacturers not giving it time to drain, but transferring it immediately from the kettles to the pack horses of the purchasers, who, transporting it into the various settlements, sold it to the inhabitants for three and four dollars per bushel, as late as the year 1808. This saline was thought to be so important to the country, that when this territory was erected into a state in the year 1802, a tract of six miles square was set apart by congress for the use of the state, embracing this saline. Two other tracts of six hundred and forty acres each, were also reserved for the same purpose, one on Salt Creek in Muskingum county, and one in Delaware county, as too valuable to fall into the hands of individuals, lest they should create a monopoly of the article; these being the only places then known in Ohio where salt could be made. A special act was passed by the legislature, in the year 1804, regulating the management of these salines, and an agent appointed to rent out the small lots to manufacturers, laid out on the borders of the creeks, where salt water was found most abundant. The rent demanded was sixteen cents per year on each gallon of capacity in the kettles, and no one person was allowed to use more than four thousand, nor less than six hundred gallons in each furnace, guarding here also, carefully, against monopoly. The agent was authorised to inspect the salt before it was offered for sale, and to lay off suitable wood lots for the use of the furnace holders, free of expense. The amount manufactured in any one year, never produced a revenue to exceed five hundred dollars. As other and much better saline springs were discovered on the navigable streams, the works at the agencies went gradually to decay; and finally, in the year 1826, the 'salt reservations' were sold and the proceeds placed in the treasury of the state. In the year 1808, a new era commenced in the manufacture of salt. Previously to this time the water had been obtained from wells sunk no deeper than to perforate the superincumbent earth to the rocks below, through some crevice in which it had made its way to the surface. But now, attempts were made to come at the sources of the fountain, by boring, or drilling through the rock formations, to the saline deposit itself. The first trial of this kind was made on the Big Kenhawa, six miles above Charleston, and only to the depth of seventy or eighty feet; on further trials, it was discovered, that the water became stronger as they descended, and the first wells were gradually deepened to three hundred and fifty feet, with the most satisfactory results. Water was obtained of such strength that seventy-five gallons would make a bushel of salt of fifty pounds weight, or as much as four hundred gallons from the old surface wells; producing an immense saving of time and labor to the manufacturer, and a much better article to the consumer. The space, now occupied by the salt wells, extends to the shores of the Kenhawa, and is about seventy miles from the mouth of the river. The upper wells reach the salt rock at two hundred and fifty feet. The lower wells strike it at a number of feet deeper, the rock dipping to the north as it recedes from the mountains, or descends the river."

## SHIPMENTS ON THE OHIO.

*Law case before the supreme court of Ohio, at Cincinnati, at May term,* 1833.

Josiah Lawrence, *vs.* James and Robert McGregor.

Assumpsit brought against defendants as owners of the steam boats Tecumseh and Amazon, to recover the value of certain goods shipped at Cincinnati for New Orleans and lost at Louisville. Plea non assumpsit. The bill of lading, on which the action was founded, was for goods shipped on the Amazon for New Orleans, but there was a memorandum on the left hand margin of the bill, in these words:—"*Shipped in Cincinnati, on board steamer Tecumseh, to be re-shipped at Louisville per steamer Amazon.*" It was admitted that the defendants owned the boats Tecumseh and Amazon, and that the goods were actually [illegible] port, below the falls of Ohio; and also that the latter boat being of the larger class, was, at low water, employed below the falls, and the Tecumseh above, and in taking freight to the boats below.

A great number of witnesses were examined before the jury. From the testimony, it appeared, that until about the year 1819, it was the general custom to transport merchandise, at low water, around the falls on drays. About that time, some carriers began to use flat boats in carrying goods over the falls; and from thence to this time, the use of flat boats for that purpose was continued by some, and was on the increase. Both methods were still used; and it was now somewhat uncertain which mode was most in use. The transportation over the falls in flats was preferred by many, because it kept the goods cleaner, exposed them less to the heat and sun, left them in a better state for the market in the lower country, and was less expensive. That way of passing the falls was more hazardous than by drays, but that, in the opinion of many engaged in the trade, was counterbalanced by the superior condition of the goods. The insurance offices charged 1·8 per cent. increased premium for risks that were intended to pass the falls in flats. Owners frequently obtained permission of the shipper to pass the falls in flats—either given verbally, or by memorandum on the bill of lading: though flats were often used without such leave. It was more convenient to the carrier to pass in flats. It was the custom of the trade to consider the memorandum on the bill of lading, as to shipments in other boats, or flats, as a part of the bill of lading.

It was also proven, that when the Tecumseh arrived at Louisville with the cargo in question, the state of the river was such as to raise a doubt about taking her safely over the falls and back again. The pilot declined taking her over, though some witnesses testified that at that time, and for several days afterwards, there was sufficient water for her to pass. The goods were moved from the Tecumseh and laden in flats, but, owing to the state of the wind, the pilot refused to take flats over the falls. They were then moored for the night and properly guarded. Early the next morning, the steamboat Lady Franklin run foul of the flats, sunk them, and although every exertion was made to save the goods, they were lost. The net loss to the plaintiffs was admitted to be $994.

In the progress of the cause, the plaintiff called a witness to prove the agreement of the parties to this bill of lading, that the goods should be carried over the falls *in the Tecumseh*. *Storer*, for the defendants, objected to this evidence, and the objection was argued by *Storer*, and by *N. Wright* and *C. Hammond*, contra. The *court* held it incompetent to vary the terms of a written contract by parol evidence, and rejected the testimony. The testimony, the court said, was not offered to establish a general usage, but to vary this particular bill of lading.

The cause was argued to the jury, by *N. Wright* and *C. Hammond* for plaintiffs, and by *Storer & Fox* for the defendants.

Judge *Wright*, in giving the cause to the jury, stated: That the bill of lading, which was the contract between the parties, was prima facie the true contract, and to be continued according to its terms and legal effect, though if there were any general or common usage of the trade, affecting the manner of executing such contracts, that usage would be regarded as a part of the contract, and within the contemplation of the parties. A compliance with such contract in accordance with such general usage, would in law satisfy its stipulations. But a usage to affect such a contract, must be *common*, and of *general notoriety*, not fluctuating, or dependant upon whim, caprice, or any such circumstance. Where the bill of lading is in the usual form, and a carrier would reserve to himself the privilege of deviating from the usual course of the trade, he should stipulate for the privilege and vary the contract accordingly. The bill of lading is to be taken altogether, including the memorandum—in this case the contract includes the memorandums as to the employment of the Tecumseh to take the goods from Cincinnati to the Amazon. Its legal effect obliges the carrier to take the freight from Cincinnati, in the Tecumseh, to the Amazon, below the falls; but as the usage of the river when the water is too low for the small boats safely to pass over the falls, admits the transportation from Louisville to Shippingport by other means; that usage the law regards as incorporated into the contract, and within its stipulations.

A carrier is in general liable for all injury to freight entrusted to him, which does not result from the act of God, (inevitable accident) or the enemies of the state. He undertakes for the safe keeping of the goods, the safe conduct of the vessel, and the consequent employment of the proper means, navigators, lights, watch, &c. for her preservation. He is bound not to expose the freight to any extraordinary hazard or peril. And although while in the customary course of the trade, the carrier is excused from making good losses resulting from inevitable accident or the public enemies of the state; yet if he deviate from that course and expose the freight, and loss accrue, even from these causes, before he has returned to the course of the trade, it falls upon the owner. Such excuse from responsibility is only available while the carrier is in the prosecution of his voyage in the *usual* route. You will then inquire, what was the state of the water when the Tecumseh arrived at Louisville, and if satisfied there was sufficient for her safe passage over the falls, it was the duty of the defendants under their contract to carry the plaintiff's goods over in that boat. And if with sufficient water for the Tecumseh to pass the falls, the defendants [illegible] freight for their own convenience or profit, and the goods were lost by such transit, by inevitable accident or public enemies, the loss would be that of the carrier, because of the deviation from the contract and the exposure of the freight to increased peril. If you find this to be the case on the evidence, it will not be necessary to inquire further, for the plaintiff's right to recover would be complete.

If you shall find the stage of water to be such, that when the Tecumseh arrived at Louisville, it was unsafe for her to pass the falls, then it was lawful for the carriers to overcome that obstruction to the navigation in the manner adopted in the common course of the trade. If that common course is to light the boat over the falls by unlading a part of the cargo into lighters, or to unlade the whole cargo and transport it around the falls on drays, or carry over in flats, the carrier must adopt the usual course at his peril. But if two ways are in common use of overcoming the obstacle, one known to be more hazardous than the other; the carrier adopts the most hazardous method at his own risk, and if loss intervene, it is his loss. This results from the nature of the employment—he has the entire control of the goods and those employed in navigating the vessel, and although for some purposes the carrier is agent for others than the owners, he is not permitted for his own convenience to subject

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freight entrusted to him to any but the common and known perils but at his own responsibility.

It is not disputed but there are two ways of transporting goods past the falls of Ohio in low water in use, one by drays, and the other by flat-boats. It is urged that the whole current of the testimony, the price of insurance and the nature of the transportation itself, conclusively show the use of flat-boats the most hazardous course, and therefore not presumed to have been contemplated by the parties, and at the risk of the carrier. It is for you to judge from all the circumstances in proof, and if you find the use of drays the least perilous, the defendants are responsible for the consequence of adopting the other course; and the circumstance of the increased hazard of the transport by flats being counterbalanced in the estimation of some, by the more cleanly appearance of the goods or their less exposure to the heat of the sun, does not affect the question, although it may afford good reason for those having the power of choice to incur the increased hazard in the expectation of realizing the advantage. The right of the shipper, and the liability of the carrier remain untouched. If on the other hand you find the known general course of the trade to be to employ flats at low water to transport goods over the falls, then and then only, would the carrier acquire the right under the contract, in case the water was too low to go over with the Tecumseh, to lade the merchandise in that kind of craft, and only in such case can you be called to inquire whether the flat-boats were properly moored and safely manned and guarded. If the goods were so laden without the contract, and while they remained without, a loss even if occasioned by inevitable accident, would fall upon the carrier. If so laden within the contract, as being according to the known custom of the trade, or the least perilous course, then if proper care was bestowed for the protection of them, and loss resulted from inevitable accident, it is to be borne by the shipper. In either case if the loss resulted from negligence or the wanton act of the navigators of the Lady Franklin, the defendants are responsible to the plaintiffs and they have their remedy over, against those concerned in the Lady Franklin.

Verdict for the plaintiff, and judgment.

BOLTON *vs.* CALDER & WILSON.

This was an action of trespass on the case, against the defendants as the proprietors of the Reading and Harrisburg stage coach, tried before justice Rogers, at a circuit court for Dauphin county, Pennsylvania, the 16th April, 1833.

When his honor summed up the evidence in pointed terms in favor of the plaintiff, the jury found for the plaintiff $1,200 damages. On appeal to the supreme court in Bank, the cause was argued for the plaintiff by Fisher and Krause, and for the defendants by Wiedman and Norris.

Chief justice Gibson delivered the opinion of the court—

Among the reasons assigned for a new trial, there is but one which deserves to be noticed; and there is so little even in it, that were it not necessary to correct an apparent misapprehension on the subject of it, and in a matter of very general concern, it would not be made a subject of remark. The movement of carriages passing on our turnpike roads in opposite directions is regulated by special enactment; but there is no positive law to regulate the passing of those who are travelling in the same direction. The defendants gave evidence of its being a custom in the latter case, for the leading carriage to incline to the right, the other making the transit at the same time by the left; whence it is attempted to be shown that the injury suffered by the plaintiff, had been occasioned by his own neglect of this custom which was said to have acquired the consistence of a law, but which was very properly exploded by the court. Nothing should be more pertinaciously resisted than these attempts to transfer the functions of the judge from the bench to the witnesses' stand, by evidence of customs in derogation of the general law, that would involve the responsibilities of the parties in rules, whose existence, perhaps, they had no reason to suspect before they came to be applied to their rights. If the existence of a law be so obscure as to be known to the constitutional expositors of it, only through the evidence of witnesses, it is no extravagant assumption to take for granted that the party to be affected was ignorant of it at the time when the knowledge of it would have been most material to him; and to try a man's actions by a rule with which he had not an opportunity to become acquainted before hand, is the very worst species of tyranny. The probability of actual ignorance in respect to this particular custom, is greater than in respect to almost any other that can be imagined, as the traveller might reasonably suppose the whole law of the road to be comprised in the statutory admonition that meets the eye at every gate and bridge. The use of parol proof has been, to say the least, sufficiently extended by suffering it to control the private written laws which individuals establish between themselves for the regulation of their rights in particular transactions, without suffering it to control the general law of the land. The judge, therefore, did a valuable service to the stability of the law by freeing the cause from a matter so entirely foreign to it. It remains therefore to be seen whether the rule laid down by him, is founded in the principle of justice and reason. It was not pretended that the mail coaches are entitled to precedence, or the enjoyment of any particular privileges. They are indeed protected by an act of congress from being wilfully and wantonly obstructed or delayed: but in every other respect they are on a footing with all other carriages; and it is right perhaps that it should be so. Experience proves that the drivers of them are not the most eligible depositories of power; and there are few who have not to do with them either as passengers or travellers. The public consequently has an important interest in having them in common with the drivers of other carriages, held strictly to the measure of their rights; and this can be done only by making their employers sureties for their good conduct, as far as the law permits, and liable for their acts. They are seldom of sufficient estate to respond in damages to any considerable extent; and to treat them as exclusively liable, would in most instances be a denial of redress. With these considerations in view, the judge stated the law to be that a traveller may use the middle or either side of the road at his pleasure, and without being bound to turn aside for another travelling in the same direction, provided there be convenient room to pass on the one hand or on the other. And why should it be otherwise? The law to regulate the deflection of those who are travelling in opposite directions was designed for the specific case mentioned in it, the object being to avoid, by a preconcerted movement, the collision which might otherwise ensue from the mutual misapprehension of intention frequently observable between foot passengers. But this uncertainty is productive of no collision between carriages travelling in the same direction, and the principle of the enactment is therefore not to be extended to it. It is certainly but reasonable that the traveller to be accommodated should be at the pains to give his carriage the proper direction to enable him to profit by his superior speed, and if there be convenient room to pass on any particular part of the road, he ought not to complain. If there be not, it is doubtless the duty of the other to afford it, on request made, by yielding him an equal share of the road, if that be adequate and practicable; if not the object must be deferred till the parties arrive at ground more favorable to its accomplishment. Should the leading traveller refuse to comply, he would be answerable for it. But to effect the passage by a forcible collision with him is not to be justified, redress being demandable only by due course of law. Conformably to this, it was impossible to doubt that the injury entitled the plaintiff to his action, and as it clearly appeared to have been the effect of negligence, the verdict was properly rendered for such damages as will probably induce the proprietors of mail coaches to take care that their drivers be more attentive to the rights of others, for the future.

Judgment affirmed. [*Lancaster Journal.*

SLAVES, AND SLAVERY IN VIRGINIA.

*From the (Richmond) Farmer's Register.*

The editor considers the question of slave-labor and slavery as coming fairly within his province, and accordingly we have in this number large extracts from two articles on the subject, (both written in Virginia) which first appeared in the American Quarterly Review. From one of these we quote the following paragraphs, which, so far as they relate to the public lands, express the views of a rapidly increasing proportion of the people of Virginia.

We believe that means may be found to colonize the annual surplus of the slaves of Virginia, and to purchase such a portion of that surplus as it may be necessary to purchase.

The annual increase of slaves in Virginia (leaving out of view the 6,000 supposed to be taken off to the southern markets) is less than 5,000. If this number of slaves be valued at the average of $200 per head, the sum necessary to purchase them will be about a million of dollars. To defray the expense of their deportation to Africa and subsistence there for some months will, on the satisfactory calculation of Mr. Mathew Carey, to which we must refer, at $25 per head for adults and children, require $125,000—add to which the cost of deportation of 1,200 free blacks, (their annual increase), $30,000, and we have the sum of $160,000. That the state of Virginia has no possible means of purchasing 5,000 slaves *per annum* is obvious. But were the entire cost, that of transportation only, $150,000, we should insist that the legislature take it into serious consideration how far that expense exceeds its means. In any event, our adversaries will allow us to set down the item of transportation to the charge of the state: if this be all, it is to offer no insurmountable embarrassment. Perhaps it may be thought best to deport the free negroes first, and then the whole expense is that of transportation. Where, however, shall we find that greater fund which will presently be needed for the purchase of the surplus of the slaves, and before long for the purchase of a part of the capital number? There is not far off a fund to which we believe our eyes may be turned. We have come to the conclusion that such a fund is the proceeds of the public lands in the treasury of the general government; and we do now invite the friends of the removal and colonization of the negroes to fix hereafter their thoughts, and to press their pretensions on this fund. The annual income to government from the public lands is now estimated at three millions. Let one-third of this amount be demanded for this object, to be under the entire management of the state authorities.

In coincidence with the known opinion of Virginia, we are not willing to demand a simple appropriation of money from congress. But we are inclined to think, that an appropriation from the receipts of the public lands would not be liable to the constitutional objection, which would forbid a grant of money raised by taxes. We have an unfeigned respect for constitutional scruples, but we are not ambitious ourselves of entertaining more scruples than Mr. Madison. Let us hear, then, what that greatest living authority says upon the subject, in his letter to Mr. Gurley, of December last:

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"In contemplating the pecuniary resources needed for the removal of such a number to a great distance, my thoughts and hopes have been long turned to the rich fund presented in the western lands of the nation, which will soon entirely cease to be under a pledge for another object. The great one in question is truly of a national character, and it is known that distinguished patriots not dwelling in slave holding states have viewed the object in that light, and would be willing to let the national domain be a resource in effecting it. Should it be remarked that the states, though all may be interested in relieving our country from the colored population, are not equally so; it is but fair to recollect that the sections most to be benefitted are those whose cessions created the fund to be disposed of. I am aware of the constitutional obstacle which has presented itself; but if the general will should be reconciled to an application of the territorial fund to the removal of the colored population, a grant to congress of the necessary authority could be carried, with little delay, through the forms of the constitution."

Before any one condemns us for looseness of construction of the constitution, we beg further that he will read Mr. Jefferson's letter to Mr. Sparks, (vol. iv. pp. 388—391); we adopt all the qualifications therein mentioned.

Judge Marshall most properly suggests that the objection, in a political view, to the application of this ample fund, is very much lessened, in his estimation, by the fact that our lands are becoming an object for which the states are to scramble, and which threatens to sow the seeds of discord among us, instead of being what they might be—a source of national wealth.

A great part of the proceeds of the public domain once appropriated to this object, there would soon be found no insurmountable difficulty in the removal of the necessary number in Virginia. But it is said that were congress disposed to give a million annually for the specific object of the removal of the slaves, it would feel bound to bestow it proportionally on all the slave-holding states, or if all be not inclined to receive it, then on those which would be. We answer, that if congress should consent to pledge a certain share of the revenue from the lands for the purchase and removal (under the laws of the states) of the slaves of the United States, we have no doubt it would be thought wise to begin with the effectual relief of the greatest sufferer first. A minute's attention to the following statement of gen. Brodnax, will shew the immense claims of Virginia.

"The state of Virginia contains, by the last census, less than one-fifteenth part of the whole *white* population of the United States; it contains *more* than one seventh of the free negroes; and it possesses between a fourth and a fifth of all the *slaves* in the union.

"Virginia has a greater number of slaves than any other state in the union—and more than Louisiana, Mississippi, Alabama and Tennessee, all put together—and more than four times as many as either of them. Louisiana and South Carolina are the only states in which the slaves are more numerous than the white population; and Virginia has more slaves, without estimating her great and unfortunate proportion of free persons of color, than both these states put together. Nay, one half of the state, that which lies on the east of the Blue Ridge of mountains, itself contains nearly as many."

But if congress should decline to grant from this fund for the specific purpose of the removal of the blacks, and prefer to distribute among the states the portion of money severally assignable to them, let such portion as would fall to Virginia, be earnestly claimed of the legislature for this object. The annual receipt of between two and three hundred thousand dollars, which Mr. Clay's bill (limited to five years duration), would assign her, would not be adequate for compensating masters on the foregoing plan, but it might suffice for doing an immense deal of good on the plan in Mr. Jefferson's letter to Mr. Sparks, the purchase of the children at a small but just price, the children to be disposed of either according to the particulars of that plan, or under any other plan which might be speedier, and less burdensome to the persons to be charged with rearing them.

We believe that before half a million of blacks were conveyed to Africa, there would not remain a master obstinately resolved to retain his slaves, except in the most southern and south western states, where slave labor is next to essential (we hope not absolutely), for the cultivation of the good lands.

We exhort the people of Virginia, then, first to seek aid from their own legislature to the extent it can be afforded; second, to insist on the passage of permanent laws going as far in the subject as public opinion will justify; and third, to assert their claims to a share in the proceeds of the public lands. Let it not, by her fastidiousness, be made true, that she ceded an empire to the general government, under a virtual condition that she alone was to derive no benefit from it.

Suppose then, means be thus found to defray the expense of emancipating and transporting them to some other country, the next question is, where a suitable asylum may be found to which to convey them? We answer, that Africa affords the most eligible situation for such an asylum, and that we hope Virginia would avail herself of the noble beginning which has been made by the American colonization society at Liberia.

## JUDGE CLAYTON AND THE UNITED STATES BANK.

*From the Georgia Journal.*

*Athens, July* 15, 1833.

MESSRS. EDITORS—A report is prevailing, and to which wide circulation has been given by the newspapers that I have changed my opinion on the bank question. Lest silence on my part might seem to give it even the semblance of truth, I am constrained reluctantly to appear in your paper to contradict such an unjust and unfounded suggestion. Such report, as I understand, has gone forth by reason of a letter addressed to some individual in Philadelphia through the agency of one of the directors of the branch of the United States' bank at Washington city, by giving information of a transaction in that bank relative to myself, which it shall be the purpose of this communication to explain, and will, I have no doubt, be perfectly satisfactory to every human being, of the least liberality, who shall do me the justice to read it. When I left home in November last, to take my seat in congress, I carried with me a large sum of money, in Georgia currency, to fulfil a contract for machinery in the city of New York. I applied at the above bank to exchange it for United States bills, but upon being informed that a premium of 7 per cent. would be demanded, I declined it, and determined to send it back to Augusta, for the purpose of purchasing a bill of exchange, where, as I was informed, one could be obtained for one and a half per cent.—Accordingly, by a safe private conveyance, I forwarded it to an individual, with an earnest request to effect the purchase and return the draft without delay, as by my contract I was to be entitled to a deduction of three per cent. for prompt payment. This took place on the 13th of January, and on the 26th of the same month, I received a letter from the bearer of the funds informing me of their delivery, and enclosing the receipt of the person to whom they had been remitted. From this last individual I could learn nothing, though repeatedly addressed. Thus strongly threatened with a heavy loss, and still more harrassed by the consequences it was likely to involve, I, of course, awaited the event with unusual anxiety, and, as *might well be* imagined, with no little interruption to my public duties. I was held in this suspense during the whole session of congress, and, finally, was informed by a friend, to whom I had written on the subject, that my agent had used the money and had failed.

This information I received on the 5th March, the day after congress adjourned, and but two days after I had voted, in a minority of 41, that I believed the bank of the United States an unsafe depository of the public money. It is impossible, if it were necessary to describe the state of my feelings at the moment. A large sum of money faithlessly embezzled—an urgent contract claiming performance—without the means of satisfying the demand—from home, and consequently away from all my resources—in a land of strangers, and compelled by circumstances to remain at Washington, it may readily be conceived what was my situation, and that situation may be safely submitted to the reflection of a liberal community. I had sufficient proof, at the time, what generous minds will do under such an unlooked for difficulty. As soon as I read the letter announcing my misfortune, I handed it over to some one of the gentlemen with whom I boarded, and mentioned the distressing perplexity it occasioned in the failure of my engagement, a matter of much more concern to me than the loss itself. In an instant, and unsolicited, general Robinson, a senator from Indiana, stept aside to a table, and knowing the amount I wanted, (being considerably less than I had lost), drew a note for it, endorsed it himself, and was immediately and voluntarily succeeded in that kind and magnanimous act by judge Mangum and general Hawkins, of North Carolina, judge Bouldin, of Virginia, colonel King, of Alabama and captain McIntire, of Maine, who returned and presented it to me, remarking that they hoped it would relieve my present embarrassment. In the glow of feeling which such a generous act inspired, and certainly in violent contrast with those under which but a few moments before I had suffered, I accepted their kind offer, though it was to borrow money from a bank against which, politically, I was and am still opposed, not however without expressing my apprehension that their friendly interference would be unavailing, or that an improper construction would be placed upon the transaction. To obviate which colonel King, with that readiness demanding my most unqualified acknowledgments, repaired with the note to the bank, explained fully all the circumstances under which the loan was asked, and was wholly instrumental in procuring the accommodation. The bank asked, and I have no doubt expected nothing else but an ample security for their [illegible] though the above endorsers are worth two hundred thousand dollars, yet to observe strictly the rules of the bank, its officers required of me a town endorser, or what was tantamount to it. This was complied with. But a day or two after, general Van Ness, the president of one of the city banks, hearing of my loss and the great inconvenience to which it subjected me, very generously offered me the same accommodation. Thus then a loan sought in consequence of an urgent and unforeseen necessity, created by an unexpected act of perfidy—acquired in the most open manner—upon the best security—from an institution whose business it is to lend money for gain—professing to be impartial in its favors, and made in strict compliance with its rules, has been tortured into a peace offering, designed and so received by me, to quiet my opposition to its re-establishment! Language fails me to express, in a sense of becoming self-respect, the scorn which is due to such heartless illiberality. I will, however, do the officers of the bank the justice to say, I do not believe they intended their agency in this matter, to have any such effect, and therefore cannot be so illiberal as to expect it, whatever may be the views of a single director, in the unkind and not less false suggestion to which his gratuitous information has given rise.

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I have taken the liberty to mention the names of my endorsers, with no motive of an ostentatious display of the high character with which my credit has been supported, but to avail myself of their distinguished reputation to sustain the facts of my statement, so far as connected with the bank transaction, and to a public not always too credulous or indulgent towards a narrative intended to refute a slander, I have thought it not amiss to tender a list of the witnesses. A. S. CLAYTON.

P. S. It is reasonably expected that this communication will find a place in all those papers where it has been deemed a matter of such public interest to convict me of inconsistency.

## COLONEL DRAYTON'S SPEECH.

### WASHINGTON SOCIETY.

At the celebration of the fourth of July, in the city of Charleston, by the Washington society: one of the vice presidents gave the following toast:

*The hon. Wm. Drayton*—The patriot "without fear and without reproach,"—estimable in private, illustrious in public life—*all the ends he aims at, are his country's.*

When the enthusiastic plaudits with which this toast was received had subsided, col. *Drayton* rose and spoke as follows:

FELLOW CITIZENS—Although you have been induced, by personal kindness, to speak of me in a manner which I am very far from meriting, I yet receive your flattering compliment with the most grateful feelings, not because it is flattering, but because it manifests your approbation of my conduct, and your opinions, that the exertions which I have made in the cause of our country, and for the preservation of your rights, however inefficient they have been, have been all that my humble abilities enabled me to render, and that they have been directed by purity of intention. But, fellow citizens, any thing relating to myself, is unconnected with the object of this meeting. We have met for the purpose of celebrating the anniversary of the Declaration of our Independence; of giving utterance to the deep and heart felt emotions which are associated with the recollection, that by the toils, and the sufferings, and the valor, and the blood of our ancestors, we were raised from colonial vassalage to sovereign power. Whilst thus rejoicing, we ought, also, to remember, with emotions scarcely less intense and reverential, that our ancestors, after experiencing the evils of an embarrassing and feeble confederacy, framed that constitution which was ratified by the people of the United States, to secure the blessings of independence, liberty and union, to themselves and their posterity. Greater blessings than independence, liberty and union, were never bestowed by man upon man; and yet have we witnessed a period, when some of the posterity of our glorious ancestors would have hazarded the possession of these inestimable treasures, to promote the triumph of a pernicious sophistry, first promulgated in the "exposition and protest," which was published by the order of the legislature in December, 1828. These observations are not made by me, as prefatory to an elaborate investigation of the odious doctrine of nullification—a doctrine so paradoxical, as to involve in its mere statement the palpable contradiction that a single state, under no other restraint than her own discretion, can, within her limits, annul the laws of a government, which the people of all the states have solemnly bound themselves to obey, as "the supreme laws of the land"—that a state can exempt herself from the burthens, and participate in the benefits of the union—can be a member of the body politic, and absolve herself from the obligation which it imposes—that these gross incongruities might be sustained, what have we not endured? Whilst the accomplishment of nullification was in progress, the practical effect of which, it was alleged, would be a peaceful and constitutional remedy for our grievances, can we ever forget that clubs were organized in every city and hamlet, by whose irresponsible will, the constitution and the laws were controlled—that thousands of volunteers were raised, holding themselves ready, at a minute's warning, to march and to fight, as if a foreign enemy were hovering upon our coast—that large sums of money were expended by the legislature for the purchase of arms and ammunition, to reimburse which, we must be heavily taxed—that our youth were allured from their appropriate avocations, and the softer sex from their characteristic pursuits, to mingle in the strife of political contention—that ancient friendships were dissolved, the ties of blood rent asunder, and the domestic circles, where affection, and harmony, and confidence should reign, embittered by party rancor—that a portion of our citizens were proscribed and disfranchised, because they would not take an unrighteous and unconstitutional oath—that our whole state was convulsed to its centre—and that even the horrors of civil war were anticipated by those who deprecated it as the direst calamity with which an offending people could be visited by an avenging deity?

These, fellow citizens, were some of the bitter fruits of nullification. What are the benefits which it has conferred upon us? We were told, that it was resorted to in order that we might be relieved from the intolerable oppressions of an unconstitutional protective tariff; and yet the convention which annulled all the protective tariff acts, by their ordinance in November, 1832, formally repealed that ordinance in March, 1833, although a tariff act was then in existence, which enacted, that protective duties should be levied until June, 1842, which, thereafter, perpetuated "the protective system as the settled policy of the country," so far as it could be perpetuated by legislation, in the event of a uniform duty of 20 per cent. producing a revenue beyond the expenditure of the government, which substituted cash in lieu of credit duties upon all imports, and which introduced the innovation of the home valuation of imports, thus increasing, by 40 per cent. the amount upon which the duties are to be assessed after the year 1842; and although that convention, in the "address to the people of South Carolina," resolved that until these abuses, (the protective tariff acts), "shall be reformed, *no more taxes should be paid here,*" and in the "address to the people of the United States," declared, "if we submit to this system of unconstitutional oppression, we shall voluntarily sink into slavery, and transmit that ignominious inheritance to our children. We will not, we cannot, we dare not submit to this degradation, *and our resolve is fixed and unalterable, that a protecting tariff shall no longer be enforced within the limits of South Carolina. We stand upon the principles of everlasting justice, and no human power shall drive us from our position.*" That position, nevertheless, has been abandoned—the ordinance of nullification, founded upon "the principles of everlasting justice," has been repealed by the convention which ordained it—and "*a protective tariff*" is "*enforced within the limits of South Carolina.*" I shall make no further comments upon the conduct and the proceedings of the convention of South Carolina. No powers of eloquence could more vividly exhibit their character, than a bare reference to what they have done, and what they have undone. I take no pleasure in dwelling upon so humiliating a topic, and shall quit it, with simply expressing my fervent hope, that our sad experience of the evils of nullification, and the rejection of its dogmas by every legislature in the union which has considered them, may operate as a solemn and salutary warning to deter others from imitating the example of those, who, had they not been "driven from their position," would have plunged their state into all the miseries of anarchy, and bloodshed, and civil war, and, ultimately, have subjected themselves to the degradation of submission to the government which they had resisted, or of dependance upon a foreign power.

If the convention which assembled at Columbia, in March last, had limited their acts to the repeal of their ordinance of nullification, the wounds which have been inflicted upon our distracted state, might have been healed by the lenient hand of time; the wrongs and injuries which a minority have suffered, might have been forgotten, or forgiven, and gradually, that harmony might have re-appeared which formerly prevailed among us. But, unfortunately, with that convention originated another ordinance, declaring, "that the allegiance of the citizen of this state, is due to the said state, and that obedience only, and not allegiance, is due by them to any other power or authority; and empowering the general assembly of the said state, from time to time, when they may deem it proper, to provide for the administration, to the citizens and officers of the state, or such of the officers as they may think fit, of suitable oaths or affirmations, binding them to the observance of such allegiance, and abjuring all other allegiance; and also to define what shall amount to a violation of their allegiance, and to provide the proper punishment for such violation." With such an ordinance as this, to be enforced in the discretion of the legislature, to talk of our rights and liberties is an insult to common sense.

I am aware of the argument which is relied upon by our political opponents, that test oaths are required in several of the states, and that a state may, unquestionably, insist that the citizens, in the form of an oath, shall manifest their obedience to her constitution and her laws. These positions I do not controvert. I except not to a test oath, in the abstract, but to the purposes to which it has been applied. The federal constitution was as directly ratified by the people of this state, as was the constitution of the state. The allegiance of a citizen of the United States to the United States, is as substantive and obligatory, as is that of a citizen of the state to the state. Within the sphere of federal allegiance, the United States are supreme; within the sphere of state allegiance, the state is supreme. Federal and state allegiance are perfectly consistent: instead of interfering with, they mutually strengthen each other. Notwithstanding the distinction which is drawn in the ordinance of the convention, between allegiance and obedience, (suggested, I presume, by the same spirit of paradoxical subtilty as the dogmas of nullification), their meanings are identical. Allegiance is the obedience which every citizen owes to the constitution and laws of his country. A citizen of South Carolina is also a citizen of the United States, consequently, he owes allegiance to the constitution and laws of South Carolina, and to the constitution and laws of the United States. Should he, nevertheless, be involved in any difficulty, proceeding from an apparent or real variance, between the laws of the state and of the United States, by the constitution of the latter, "the laws of the United States made in pursuance of the constitution, shall be the supreme law of the land:" should doubts arise, in the judgment of the citizen, whether a law of the United States has been "made in pursuance of the constitution," those doubts, by the provisions of the federal constitution, are to be resolved, in the last resort, by the federal judiciary. Keeping steadily in view the true meaning of allegiance, and these provisions of the constitution of the United States, no citizen can be embarrassed by the subject of his allegiance. When, therefore, the state, by an ordinance, requires her citizens to take a test oath, by which they abjure all allegiance, excepting to herself, it is obvious, that they must either violate that allegiance, which they are constitutionally and conscientiously bound to observe towards the United States, or by refusing to do so, be rendered amenable to any pains and penalties, (extending even to death and confiscation of property), which may be imposed upon

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them by the legislature of the states. It is against such a test oath as this, that I enter my protest—a test oath, unconstitutional, vindictive and cruel, exhibiting a melancholy proof of the reckless extremes, into which a dominant party will rush for the attainment of their object, when misled by narrow prejudices, blinded by exclusive feelings, and infuriated by burning resentments. Until the ordinance containing this test oath, be annulled, it must be execrated by all who recognize the federal constitution as a constitution. It usurps the exercise of a power which no state, *in the union*, can grant—invades the sanctuary of the heart—tramples upon the sacred rights of conscience—and prescribes to citizens of South Carolina and of the United States, to abjure that allegiance from which they cannot be absolved, excepting by expatriation or revolution.

The radical error which pervades all the reasonings of the advocates of nullification is this—they have not distinguished between constitutional and natural rights—between rights under the constitution and beyond it. As this state always acknowledged the federal constitution, she could not be relieved from a protective tariff, upon the ground of its being unconstitutional, otherwise than in one of the modes warranted by the constitution, among which nullification was not included. When, by her sole authority, she undertook to annul a protective tariff, she exercised an extra-constitutional and revolutionary power, derived from the rights of man and of nature, paramount to all constitutions, although she never declared that she had seceded from the union. Had she made this declaration, and acted upon it, she would have been entitled to adopt such measures as she deemed necessary for the accomplishment of her object, for in revolutions self-preservation is the supreme law. She might then have called upon her citizens to renounce their allegiance to the union, and have nullified the constitution and all the laws of the union. Placed in this situation, she must either have settled her differences with the United States peaceably, by treaty, or failing in this, she must have appealed to arms, and abided by the issue of the contest. In this struggle, she might have considered those citizens who were not for her to be against her, those who were not her friends to be her foes, and her citizens would then have been compelled, at their peril, to choose the side which they would maintain.

Before resuming my seat, I will offer to you a few remarks upon a subject which has created no little excitement. I allude to the "act" "further to provide for the collection of duties upon imports," for my vote in favor of the passage of which, the harshest epithets of censure and crimination have been lavished upon me. When that act was passed, the ordinance of the convention was in force, by which all protective tariff acts were declared "null and void, and no law, and all contracts, promises and obligations made or entered into with purpose to secure the duties imposed by the said acts, and all judicial proceedings which shall be hereafter had in affirmance thereof, shall be held utterly null and void." This ordinance came into operation from and after the 1st day of Februrary, 1833, from which period, it interdicted "appeals from the state courts to the supreme court, in any cases within the purview of the ordinance," required "all persons holding, or hereafter elected to any offices, civil or military, under the state, (members of the legislature excepted), to take an oath to execute the ordinance," and forbade jurors to be impannelled, unless they swore "well and truly to obey, execute and enforce it." If this ordinance was constitutional, congress had no right to interfere with it. If it was unconstitutional, they were bound to endeavor to defeat it. For the reasons which I have already submitted to you, as well as for many others which are familiar to you, congress entertained no doubts as to the unconstitutionality of the ordinance, they had, therefore, only to deliberate upon the expediency of the measures which they should adopt to prevent its enforcement. Had they been quiescent, they would, impliedly, have conceded, that the ordinance was constitutional, and that tha federal government could not protect itself: *that* government would, then have been annihilated, for a government which cannot execute its laws, *ceases to be a government.* Upon the passage or rejection of the act of the 2d March, 1833, depended the momentous alternative, whether the federal constitution should exist, or be prostrated at the feet of a dominant party in a state. *Happily for the integrity of the union*, and the honor and salvation of the country, congress was faithful to the trust which was reposed in them, and in their performance of it, kept themselves within the pale of their legitimate powers. Those parts of their act which authorise the employment of military force, (which can, only, be defensively employed), are sanctioned by precedents upon our statute books, during the administrations of gen. Washington and of Jefferson, (the constitutionality and expediency of which are admitted), authorising the employment of that species of coercion, under less guarded restrictions, and under circumstances much less imperious; and those parts of the act, for which no precedents have been furnished, because the exigencies demanding them had not, previously, occurred, were introduced for the purposes of preventing collision between our citizens, and the shedding of fraternal blood, and to counteract the ordinance of the convention, which set the laws at defiance. Had the president, who is bound to "give to the congress information of the state of the union," and to "take care that the laws shall be faithfully executed," not informed the congress of the desperate legislation of South Carolina, and not recommended those means which were expedient, in order "that the laws might be faithfully executed," he would have been guilty of the violation of his official oath. Had congress, who, by the constitution, "have power to make all laws which shall be necessary and proper for carrying into execution" the powers vested in them, and "in the government of the United States, or in any department or office thereof," not passed an act, without which, the laws of congress could not have been carried into execution, they would have been guilty of a violation of their official duty. The act which was passed in pursuance of these high obligations, (the true character of which, upon a candid examination, will be perceived to be such as I have stated it to be), has, nevertheless, been stigmatized as inconsistent with the principles of freedom, as subversive of the rights of the states, as unconstitutional, ferocious and bloody, as having been recommended by the president, in the spirit of a fiend, that he might execute it, with the malignity of a demon.

The repeal of the ordinance of nullification of November, 1832, must have been produced by some measure of the federal government. But two measures were resorted to by the government; the passage of the tariff act of 2d March, 1833, and of the act for tha collection of duties on imports of the same date. It cannot be presumed, that the repeal was owing to the first mentioned act, because it enforces a protectiva tariff, in diametrical opposition to "the fixed and unalterable resolve of the convention" "that a protecting tariff should be no longer enforced within the limits of South Carolina;" the conclusion, consequently, is irresistible that the repeal is to be attributed to the latter act. By tha passage, therefore, of that act denounced by the convention, as "unauthorised by the constitution, subversive of that constitution, and destructiva of public liberty," the monster nullification was strangled, the march of misrule and anarchy arrested, the supremacy of the constitution and the laws maintained, and the cheering assurance afforded to those who venerate tha constitution and the laws, that our representatives will not be found slumbering upon their posts when the citadel of our liberties is menaced, either by internal foes or by foreign enemies.

Some of the observations which I have submitted to you may appear to be alien to the occasion for which we have met. But it seems to me, that on the anniversary of our national birth day, we ought to take a comprehensiva viaw of the good and evil by which we are surrounded. Thanks to the discernment and patriotism of the people, and to the wisdom and energy of our government, wa have been delivered from the miseries of practical nullification, with which we were recently threatened; but the storm which was raised by its agitators has not yet subsided; the angry passions which they generated have not yet sunk into repose. We have heard it iterated and reiterated—that the battle with the general government is not over, that it has just commenced—that the state cannot protect herself without being armed for resistance—that no state can be sovereign, which permits appeals from her judiciary to the federal courts—that the protective system constitutes but a small part of our controversy with the general government; and in the convention at Columbia, in March last, it was said by a delegate, "if a confederacy of the southern states could now be obtained, should we not deem it a happy termination of our long struggle for our rights against oppression?" When sentiments and declarations such as these are avowed, unabated firmness and vigilance are still requisite on the part of those who believe that the federal constitution is calculated to effect the great objects for which it was formed, in order to counteract any open or secret machinations, by which we may be deprived of the inestimable benefits of that constitution, and by which the union may be torn into fragments, and a southern confederation created from its mangled members. Vigilance and firmness ought to be exacted by all, who would deprecate the success of a revolution, of which the inevitable concomitants and consequences would be—anarchy, intestine war, and military despotism. The members of this society, which bears the name of WASHINGTON, ara peculiarly called upon to be foremost whenever the union is endangered. Professing ourselves to be disciples of Washington, we should imbibe a portion of that spirit which animated him when alive; like him, in the worst of times, we should never despair of the republic; like him, we should dedicate our days and our nights, our hands and our hearts, to the preservation of the honor and the security of our common country, and like him, we should resolve, either to conquer in the cause of independence, liberty and union, or to perish in the glorious conflict.

Colonel Drayton concluded with a farewell address to the society, in which he spoke in appropriate terms, of their meritorious exertions to serve the cause which they had espoused, in spite of the terrors of proscription, and tha discouragement inseparable from an organized majority, which controled and directed the power and patronage of the state—gratefully thanked them for their disinterested and persevaring support of himself—requested them to receive his warmest wishes for their individual welfare and happiness, and to believe that he entertained towards them, personal respect and esteem—expressed his fervent hopes that the dark clouds which now lowered over our political horizon, would be dissipated, by the interposition of the Omnipotent and merciful Being, who wielded the destinies of man and of nations—assured the society, that wherever he might be, and whatever might be his lot, he should always rejoice in the prosperity, and mourn over the adversity of South Carolina, and that he should be ready and willing in any future crisis, to identify himself with her fortunes, and to render to her all the aid, within the sphere of his limited means and talents.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 26—VOL. VIII.] BALTIMORE, AUG. 24, 1833. [VOL. XLIV. WHOLE No. 1,144.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ *A card.* The editor yet remains absent from home—but expects to resume his duties at the desk early next week—with a renewed power and an increased ability to perform them more acceptably; and while asking the indulgence of his friends for the present relaxation, which seemed necessary to the continuance of his health, he hopes, by greater exertion, to merit the kindnesses conferred upon him. He has seen and heard much which, being profitable to himself, may, perhaps, be rendered useful to others.

CHOLERA.

*Kentucky, Indiana, Illinois* and *Missouri* were still afflicted, though the cholera was abating. In *Ohio* this disease still continues; in Columbus it had nearly disappeared, there had been 42 deaths by it there, including those in the penitentiary. In Dayton, Chillicothe, New Richmond and Ripley occasional cases occur. The number of deaths from it at Cincinnati from May 1, to August 7, was 307. The deaths during the week immediately preceding the latter date had decreased more then 50 per cent.

The mayor of Charlestown, Va. officially announces there had been seven deaths between the 9th and 13th instant, and adds there had been no new case reported for the twenty-four hours preceding the last named date.

Four cases are reported to have occurred at Harper's Ferry, and four deaths in Hagerstown of a disease resembling cholera, three whites and one colored person. The Torchlight adds the town is blessed with unusual good health for the season.

The Fredericktown Herald, states that a man from the line of the canal entered that city on the 21st instant, affected with the premonitory symptoms, and while passing through the streets became quite ill, was removed beyond the limits of the city, humanely attended by the physicians, is now out of danger and will recover. The editor affirms that the city is quite healthy, and that no case of cholera has originated there.

The official report of the deaths by cholera in Lexington, (Ky.) prepared by order of the common council, from the 1st of June to the 1st August, is as follows: whites 252; slaves 174; free blacks 48—Total 502. This is an awful mortality.

ELECTIONS. Members of congress elect, in *Tennessee.* John Blair, Samuel Bunch,* Luke Lea,* James Standifer, John B. Forrester,* Bailie Peyton,* John Bell, David W. Dickinson,* James K. Polk, Wm. M. Inge,* Cave Johnson, David Crockett,* Wm. C. Dunlap.*

Those marked thus, * new members.

*North Carolina.* In the remaining district of this state, James Graham has been elected in place of its late representative, Samuel P. Carson.

*Indiana.* The following gentlemen, says the Indiana Journal, are supposed to be elected: Ratliff Boon, John Carr, Amos Lane, Edward A. Hannegan and George L. Kinnard.

*Kentucky.* The returns come in so slowly from this state, that we cannot give the result with any thing like certainty. It appears, however, that *Robert P. Letcher*, national republican, has beaten his opponent, maj. T. P. Moore, Jacksonian, by a small majority, and that Mr. *Pope*, Jacksonian, in the Louisville district, has been elected over Mr. H. Crittenden, national republican, by a majority of 8 votes. Mr. Boyd is said to have succeeded over Mr. Lyon, late member—both Jacksonians. Mr. Hawes is said to have been re-elected, as also judge Tompkins; and report also says that Martin Beatty and Benjamin Hardin, both national republicans, have been elected. In the Mount Sterling district, James Love instead of John White, as stated in our last, is elected by a small majority—both national republicans.



FRIEND'S TRIAL—CONCLUDED. *To the editors of the Philadelphia Gazette. Trenton, Thursday evening, August* 15. The case which has occupied the court of appeals during the last month, is now closed. With this, we send you the opinion, which was recorded in short hand, as delivered by governor Seely.

Messrs. Wood, Green, Bourd, McDowell, Clark, Merkle, and the governor voted, affirming, and Clawson, Holmes, Campion and Townsend, reversing the opinion of judges Ewing and Drake. Very respectfully yours, &c.

*Opinion.* The case of Hendrickson, *vs.* Shotwell, the court have had under advisement, and being fully aware of its great importance, it has given it a very close and laborious investigation, both in relation to the law and testimony applicable to the case.

I am authorised to announce as the opinion of a majority of the members of the court, that the decree of the court of chancery, in this case, be affirmed, without the payment of costs.

The court would most earnestly recommend to the parties interested, to make a speedy and amicable adjustment of all disputes and difficulties. I have always regretted to find religious controversies brought into courts of justice; it has a demoralising effect upon society, is a stumbling block to the unconverted, and a source of joy and rejoicing to the infidel. It is therefore sincerely desired by all good men, that no effort will be spared by this society to effect a speedy compromise of their disputes, on such just and equitable principles, as shall prove them to be influenced by the light within, operating on sincere and honest hearts.

NEW YORK CUSTOM HOUSE. We copy the following from the Daily Advertiser:

Extract of a letter from the secretary of the treasury, dated *Washington, 7th Aug.* 1833.

"It is the duty of the government to see that all those who have business at the custom house, shall have their affairs promptly attended to. The government has the power and the inclination to employ and liberally compensate all agents necessary for the public service; consequently, if those who have business at the custom house are obliged to give private pay to custom house officers, it must be because there are not officers adequate to the duty, or, because, if numerous enough, they do not perform their duty. I respectfully request you, therefore, to make known to every officer and clerk in the public employment in your custom house, that the practice of receiving, from merchants or others, compensation for services of any kind, is utterly condemned; and, that no person who shall accept private compensation, shall be retained in service after proof of the fact.

"I need not enumerate the evils likely to result from a continuance of the practice to which you refer. If a merchant cannot get his business transacted as it should be, it must be the fault of the government; if he has to pay a public clerk, he has a just cause of complaint against the government; and a strong temptation is held out to public agents to create delay and difficulty, in order to coerce a merchant into the payment of private fees. One abuse of this kind will lead to others; and at last there will be a laxity of moral feeling utterly inconsistent with the character of the country, and the honor of its government. It is altogether a mistake that the receipt of private compensation is, *as one of your officers supposes*, a private affair between the officer and the merchant; and I consider it my duty the more strongly to say this, *as that gentleman is attached to the custom house.* As the head of the most important establishment in the country, I look to you for all the aid that may be requisite, to put an end to a practice which no time or authority, according

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to my notions, sanction or justify. I am, very respectfully, your obedient servant,

"W. J. DUANE, *secr'y of treasury.*

"*Samuel Swartwout, esq. collector of New York.*"

WAR AGAINST OUR MERCHANTS. A greater excitement than that now existing among the merchants and commercial men of this city, in reference to the proceedings of the custom house against the cargo of the ship Globe has probably never been known. The case is not regarded as affecting the interests of a few alone, but as bearing upon the rights of every merchant and every shipper in Philadelphia. If the proceeding of the surveyor of this port, is sustained in this instance, it may be sustained in others, and a system of espionage and surveillance will be established, among our respectable and intelligent merchants, disgraceful to any community. A public meeting of shippers and others, to express their decided indignation, and to enter their protest against the course pursued by the surveyors, is in contemplation.

The result of the conference between the surveyor and the consignees of the Globe, has been entirely unsatisfactory to the latter. The surveyor was asked whether he had received any information implicating the manifests of the ship. He replied in the affirmative. He was desired to mention whether the suspicion rested upon any particular invoice, or upon the whole cargo—to which he replied that it rested upon the whole freight. He was then requested as an act of justice to the consignees, and to enable them to detect the authors of the fabrication, to give the source whence his information had been received, but he *refused to give any information on the subject!*

Notwithstanding this want of courtesy, the two principal shippers, immediately gave their consent that the boxes should be *opened* and *examined*, by the custom house officers, and they offered to pay the expenses of freighting their part of the cargo to and from the custom house, as well as the cost of opening the packages, that the tea and boxes might not be injured by *boring*. The same sacrifice would no doubt have been made by all the consignees, but the tender was refused, the surveyor declaring that he should insist upon the boring system. The consignees then proposed, with a view of mitigating the damage consequent upon boring, that a certain number of boxes to be selected by the inspectors, should be taken from each invoice, and bored. *This too was refused!*

There being no possible way of satisfying the scruples of the surveyor, which had arisen, we doubt not, from misapprehension, the discharging of the cargo has been recommenced, as the ship cannot be detained. The loss to the consignees will be at least twenty per cent. from the injury received from the teas and boxes, from the boring instruments of the inspectors. A large purchaser has already refused to receive his invoice, and the consignees will be obliged to dispose of it at depreciated prices.

To show the extent of damage likely to be sustained, we may mention that one of the boring agents was yesterday discovered making an opening with his auger, in a box of *Chinese embroidered shawls*, which he had mistaken for a tea chest.

In consequence of the proceedings detailed above, the sale of the cargo of the Globe, has been postponed one week. [*Philadelphia Gazette.*

THE WEST INDIA TRADE. The Wiscasset Yankee, gives the following statements as to the operation of the negotiation effected by Mr. McLane, under the instructions of Mr. Van Buren.

"No sooner were the British vessels permitted to take cotton from our ports, than the British government changed the old duty of 5 per cent. ad valorem, to a specific duty of five-eighths of a penny per pound; and at the same time cotton freights from the provinces paid but one twenty-fifth of a penny per pound. Thus any British ships may sail from any of our ports with a cotton freight, and merely touch at Halifax, Bermuda, or any convenient place in the provinces, and pay but one twenty-fifth of a penny on her cotton; while American freights must pay five-eighths of a penny. It is clear then that the British vessel has nearly three-fifths of a penny per pound advantage over the *American.*"

NOTICE TO PUBLISHERS OF NEWSPAPERS. *Post office, New York, August* 15, 1833. The following circular was received this day from the post office department, and in conformity with the instructions therein contained, the postage will in future be required upon all papers sent to the British provinces, unless paid at the United States post office on the frontier.

SAMUEL L. GOUVERNEUR, P. M.

CIRCULAR.

*Post office department, northern division, Aug,* 15, 1833.

*Sir:* It being communicated to the department that the post masters in British North America have been instructed not to collect, nor be accountable to this department for the United States postage on newspapers sent by mails from the United States into the British provinces, it becomes necessary to require that payment of such postage be made in the United States. You will, therefore, inform the publishers of newspapers, sending from your office to subscribers in the British provinces that it will be necessary to pay the postage in advance at your office, or cause it to be paid at the United States post office on the frontier, which despatches such papers across the line, otherwise they will be detained at said frontier office. I am, respectfully, your obedient servant,

A. NELSON,

For the post master general.

*To Sam'l L. Gouverneur, esq. P. M. New York, N. Y.*

STATE RIGHTS. The following letter was addressed by the hon. Nathaniel Macon, late U. S. senator, to Samuel P. Carson, esq. of North Carolina:

"*Buck Spring, 9th Feb.* 1833.

"*Sir:* I have received your letter of the 24th ultimo. There can be no doubt that the U. S. are in a deplorable situation, and that the publication of the opinion you desire would be useless. It has never been a secret, and always stated to those who wanted to know it. In the year 1824 the constitution was buried in the senate—the senators who were then present, will, it is believed, recollect the fact—and never afterwards quoted by me while I continued in the senate. The opinions of gen. Washington, Mr. Jefferson and gov. Clinton are known but not respected. I have never believed a state could nullify and remain in the union, but have always believed that a state might secede when she pleased, provided she would pay her proportion of the public debt, and this right I have considered the best guard to public liberty and to public justice that could be desired, and it ought to have prevented what is now felt in the south—oppression.

"The proclamation contains principles as contrary to what was the constitution as nullification. It is the great error of the administration, which, except that, has been satisfactory in a high degree, to the people who elected the president. When confederacies begin to fight, liberty is soon lost, and the government as soon changed. A government of opinion, established by sovereign states, for special purposes, cannot be maintained by force. The use of force makes enemies, and enemies cannot live in peace under such a government.

"The case of South Carolina is as different from that of Pennsylvania as any two cases can be. In 1816 the system that now oppresses the south was begun. It was then opposed. In 1824 the constitution was buried. Senators who were then in the senate, will no doubt recollect—(Repetition—old age will show)—Time to quit. Yours, very truly, NATH'L MACON."

A CHOICE BIT. The following is part of an oration delivered recently in South Carolina, by THOMAS GRIMKE. It is a beautiful extract, and we commend it to the attention of our readers. Mr. Grimke is extensively known, and wherever he is known he is esteemed.

[*U. S. Gaz.*

Our country! Our whole country! How affecting are the ties which bind us to thee; how venerable is thy claim to our faithful services, to our purest affections! What indeed is our country, but a parent, by obligations the most sacred and sublime; by associations the most delicate and comprehensive; by prospects the most animating and delightful! In our American creed, what article then is of higher authority, of deeper interest, of more enduring value, than the precept, which commands us to

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reverence and love our country? Are we bound to father and mother by relations, which God himself has ordained and enforced? So are we to our country. Are we bound to our parents by all the sanctions of civil society, coeval with its origin, expanding in its progress, and destined to endure while social life shall last? So are we to our country. Are we bound to our father and mother by all those natural affections, which make them the most venerable of human beings, and home, the happiest spot upon earth? So are we to our country. The parents, whom nature has given us, die, and are laid in the earth, by the hands of their children; but our father-land protects us in life and hallows our graves. Our parent country still survives her children. She is immortal. Shall we not, then, in the spirit of gratitude, reverence and love, engrave on our hearts some maxim, not less beautiful in its moral, if we regard our duty, than eminent for its wisdom and truth, if we consult only our interest? And where shall we find a precept more venerable for its antiquity, more commanding in authority, than the inscription on the table of stone? "Honor thy father and thy mother, that thy days may be long in the land which the Lord thy God giveth thee." Our country is indeed a father, to be reverenced in the authority which commands our obedience; and a mother, to be loved with all the enthusiasm of gratitude and affection. No voice from heaven has indeed proclaimed, amidst the thunders, and lightnings, and clouds of another Sinai, "honor thy country, that thy days may be long in the land which the Lord thy God giveth thee." No miraculous hand writing has denounced against us, the sentence of destruction for unfaithfulness to her commands, for hypocrisy in our affections. No prophet or apostle has recorded with the pen of inspired truth and by divine authority, "thy country is thy parent—by all that is most solemn and binding in duty, by all that is most eloquent and holy in love." But the voice of nature and the testimony of all experience; the brightest and the darkest pages of history; the wisdom of philosophy, the energy of eloquence, and the enthusiasm of poetry, all, all attest the truth, "thy country is thy parent."

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EXCERPTS. *Opinions on secession*, &c. In a letter to Mr. Carrington, in 1787, Mr. JEFFERSON said—"Where two parties make a compact, there results to each a power of compelling the other to execute it. Compulsion was never so easy as in our case, when a single frigate would soon levy on the commerce of any state, the deficiency of its contribution."

In 1811, Mr. JEFFERSON said, in a letter to Mr. Tracy, "That certain states, from local and occasional discontents, might attempt to secede from the union; but it is not probable that local discontents can spread to such an extent, as to be able to face the sound parts of so extensive an union."

The editor of the Richmond Enquirer, 1814, held the following opinions:

"No man, no association of men, no state, or set of states, has this right to withdraw itself from the union of its own accord. The same power that knit us together, can only unknit. The same formality that forged the links of the union is necessary to dissolve it. The majority of the states, which form the union, must consent to the withdrawal of any one branch of it. Until that consent has been obtained, any attempt to dissolve the union, or obstruct the efficacy of its constitutional laws, is treason—treason to all intents and purposes."

"Any other doctrine, such as that which has been lately held forth by the federel republicans, that any one state may withdraw itself from the union, is an abominable heresy."

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TRIBUTE OF RESPECT TO THE PRESIDENT. *From the Norfolk Herald.* The court and common council of the borough of Norfolk appointed a joint committee from their respective bodies, last week, to wait on the president of the United States at the Rip Raps, and tender him an invitation to visit the corporate authorities and citizens of the borough, at such time as might suit his convenience.

The committee accordingly waited on the president on Friday, and were received by him with peculiar courtesy and affability; he postponed giving an answer to the invitation, however, till the next day, though he intimated to the committee that it would probably be out of his power to accept it. On Saturday evening the president's answer was received by the committee, declining the invitation in consequence of his previous arrangements for returning to Washington in the early part of the week. We have been favored by the committee with a copy of the letter of invitation, and the president's reply, which we subjoin.

*Norfolk, August* 15, 1833.

*Gen. Jackson,*

*Sir:* The corporate authorities of the borough of Norfolk, have charged us with the pleasing duty of waiting on you in the name and on the behalf of their fellow citizens, to tender their most respectful salutations and kindest wishes for your continued health and happiness, and to invite you to visit them at such time as may best suit your convenience; and we beg leave to assure you that your acceptance of their invitation would afford them an opportunity very anxiously desired, of paying to you, in person, those civilities so eminently due to your official and private character. We have the honor to remain, very respectfully, your obedient servants,

WRIGHT SOUTHGATE,
ISAAC TALBOT,
JOS. H. ROBERTSON,
NATHAN C. WHITEHEAD,
JOHN CAPRON,
} *Committee.*

*Gen. Andrew Jackson, president of the U. S. Rip Raps.*

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*Rip Raps, August* 17, 1833.

*Gentlemen:* I have the honor to acknowledge the receipt of the polite invitation of the corporate authorities of the borough of Norfolk, which you were charged as a committee to tender me, together with their respectful salutations and kind wishes for my health and happiness.

For the kind wishes expressed for my health and happiness, I make a tender to you individually, and through you to the citizens of the borough of Norfolk, of my grateful thanks, with the assurance that nothing would afford me greater pleasure than to visit and shake my fellow citizens of Norfolk by the hand. But my public duties call me to Washington at an early day. I know not at what moment the conveyance for which I have written may approach my retreat, and in the mean time the state of my health admonishes me that I ought to remain free from bustle and fatigue, and avail myself of the benefit of the pure air, the sea bathing, and the repose which I have sought in this insulated spot of your beautiful bay, for the short period that my public duties permit me to withdraw from Washington.

These considerations, will I trust be received by my friends in Norfolk, as a sufficient apology for my declining their polite and gratifying invitation; at some other time and under different circumstances, I may have the pleasure which is now denied me.

Receive, gentlemen, for yourselves individually, and present to those whom you represent, my best wishes for your prosperity and happiness. ANDREW JACKSON.

*Messrs. Wright Southgate, Isaac Talbot, Jos. H. Robertson, N. C. Whitehead and John Capron, committee.*

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PRINCE GEORGE'S COUNTY, Md. A communication in a late *Marlborough Banner*, from Edward W. Belt, esq. whose opportunities of ascertaining may be relied upon, estimates the exports of the products of this fertile county, the last year, at 11,000 hogsheads of tobacco, valued at $550,000; and 220,000 bushels of wheat, valued at $275,000. Making $825,000 for those two articles only, in one year. "This," says Mr. B. "is more than one fourth of the exports of domestic produce from Maryland, and is to the exports of domestic produce of the United States, about one to 73. *Our village* (Marlborough) last year exported 2,110 hogsheads of tobacco, worth $105,000."

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PITTSBURGH. We find the following article in the Pittsburgh Advocate—we know nothing of the circumstance which called forth the card—but all data for calculations furnish conclusions that Pittsburgh is and must long continue to be prosperous in an eminent degree; and indeed no place more deserves general prosperity. Enterprise, activity, punctuality to business, and that

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kind of true liberality which consults the good of all, must result in individual and general success; long may they remain the attributes of our western metropolis, and and long may her citizens enjoy their results.

*Pittsburgh, August* 7, 1833.

The undersigned, engaged in manufacturing and mercantile pursuits in the city of Pittsburgh and vicinity, have noticed with extreme regret the publication in one of our newspapers, entitled "hard times," which mentions information of "*failures among our heaviest business men.*" Although the intention of the publication may have been praise worthy, its construction abroad may be of the most dangerous tendency to our credit as individuals and a community. We therefore feel ourselves called upon to repel all imputations which may affect us as men of business.

We assure the public at large, east and west, that at no period within our knowledge, has the character of our city deserved to stand higher for solid capital, for mercantile punctuality and integrity in the engagements of its traders. We protest against the conclusions drawn from *one* single failure, and against involving the credit of others in this individual misfortune.

| | |
|---|---|
| Riddle, Forsyth & Co. | H. McShane, |
| Little & Hays, | Wm. J. Madeira, |
| William Holmes, | Hoge & Wainwright, |
| John D. Davis & Co. | S. Smith & Co. |
| Shoenberger, Wrenshall & Co. | McKee, Clarke & Co. |
| Cassat, Hutchinson & Ledlie, | Leonard, Semple & Leonard, |
| | Miltenberger, Brown & Co. |
| H. S. Sprang & Son, | Allen & Grant, |
| Adams, Allen & Co. | Lewis Hutchinson & Co. |
| Carlisle & Birmingham, | L. & P. Peterson, |
| Johnston & Stockton, | R. Townsend & Co. |
| James Irwin, | W. Ebbs & Co. |

Inspection of salt. The amount of salt inspected in this town during the month of July, is as follows:

| | |
|---|---|
| Saline, | 150,634 34 |
| Liverpool, | 48,170 38 |
| Geddes, | 36,591 46 |
| Syracuse, | 34,520 38 |
| Total, | 269,816 56 |
| Duties, | $33,364 72 |

The inspection for the season, thus far, is considerably greater than for the corresponding months of any other season. [*Syracuse (N. Y.) Mail.*

Massachusetts fisheries. The Charleston (S. C.) Courier, in noticing Dr. Smith's recent work on the "Massachusetts fisheries," makes the following abstract from the book:

Many of the towns in the colony of Massachusetts began, at an early date, to cultivate their river fisheries. In 1641, 300,000 dry fish were sent to market. Previously to the American revolution, the cod fishery of Massachusetts employed 28,000 tons of shipping and 4,000 seamen; making an annual value of industry and enterprise of about $1,000,000. In 1775 Great Britain broke up this profitable employment, by prohibiting the colonies the exercise of the right of fishery on the banks of Newfoundland. The restoration of peace with Great Britain, after the achievement of American independence, revived this branch of industry and hardy enterprise, which was further stimulated by a bounty granted by congress in 1779, on exported fish, and a few years after, to vessels employed in the business. In 1807, 71,000 tons of shipping were employed in the cod fishery alone, and the average value of exports from this country, of the productions of the sea, for that and the four preceding years, was estimated at $3,000,000. The unwise restrictions then imposed on our commerce, caused the fisheries to diminish in value, from that period until the close of the second war with Great Britain. The return of peace again effected their revival, and the very next year 68,000 tons of vessels, employing 10,000 seamen, were again upon the ocean. In 1804 the number of barrels of mackerel packed in Massachusetts was 8,079; in 1811, 19,000. The war nearly destroyed this business; but in 1815 it rose again to 16,000 barrels. In 1820 the increase was so rapid, that the number of barrels packed amounted to 236,243. This was before the separation of Maine. In the subsequent year, Massachusetts alone packed 111,000 barrels—and in 1831, the amount had swelled to 348,750 barrels. The number of vessels employed in 1831, was near 400, and the seamen probably exceeded 4,000. The probable value of the mackerel fishery for 1831, exceeded $1,500,000.

New discovery. Mr. Mariner, of N. York, has made an important discovery for the use of persons exposed to fire or water. It is a process by which he is enabled to coat over leather, cotton, linen, silk, &c. or any like material, into durable India rubber garments, wholly impervious to water, without being rendered heavy or clumsy. The editor of the New York Advocate says he has examined a coat and pantaloons made of cotton cloth, covered in every part with the India rubber, without a stich except in the button holes. These must be excellent articles for firemen, stage drivers, and travellers in open waggons. Ladies' and gentlemen's boots and shoes may be made of any of the above named materials from the coarsest leather or the finest silk. The India rubber cloth may be obtained on application to George Spring, No. 55 Pine street, New York. In making, it is recommended that care be taken to avoid as few pin and needle holes, and seems as possible.

Power of the hydrant. An experiment was made yesterday for the purpose of ascertaining the height to which water can be carried by the power of the hydrant, without the intervention of engines. A hose was attached to the stock at the corner of William street and Exchange Place. The power was found sufficient to throw the column of water fairly upon the roofs of the tallest buildings in the neighborhood, most of which are four stories high. The water was thrown with great force in an almost unbroken column against the underside of the copings, and when the hose was carried up to the roof of the new stores in William street, it was still thrown fifteen or twenty feet higher in a perpendicular direction and across the street so as to drench half a dozen houses on the other side. Our hydrant has cost a large sum of money, but it has already saved property enough from destruction by fire to reimburse its cost, and has won the public favor completely. The property in the city is at this moment worth more by ten times and for aught we know a hundred times the cost of the hydrant, on account of the security growing out of its existence. The risk of insurance against fire is reduced materially, and the premiums would be, were they regulated upon the principles of that beautiful system—free trade.

[*N. Y. Jour. Com.*

New system of fraud. A novel system of fraud has recently been practised in New York and Albany. A person went to one of the New York banks and deposited $250, and drew his check for the money which the cashier certified as good for the amount. The check holder then altered the word two into twelve, and placed a figure 1 before the 250, presented the check at another bank and drew $1,250. He next made another deposite, again altered the certified check, and drew more money in Brooklyn; a third time he deposited money, and drew $1,250 each from the Mechanics' and Farmers' bank and the Canal bank at Albany. In all, the swindler obtained from $5,000 to $7,000, from his $250. He selected the sum of $250, in each case for deposite, as the words and figures of the check could be most easily altered to answer his purpose. At one bank in New York where he presented a check, the cashier noticed something wrong in it and pointed it out to the presenter, who said, very coolly, that he had taken the check without examining it, but he then saw it was wrong, and would return to the bank in which he had deposited, and get it corrected—and he went out for that purpose. Of course he was not heard from again. [*Poughkeepsie Telegraph.*

Mail robbery. On Saturday morning, the 10th inst. a man rather shabbily dressed went into a tailor's shop in the upper part of the city to purchase some clothing, and took from his pocket to pay for them a draft drawn by the cashier of the Easton, Penn. bank, for $60 dated August 1st, and in favor of a person whose name we did not

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learn, residing in Kingston, Esopus. The draft not being endorsed, the tailor suspected that all was not right, and detained the man until he could send to the house of the cashier of one of our banks who lived in the vicinity. On his arrival the man was searched, and another draft for $2,000, drawn as above, and in favor of a respectable commercial house in this city, in the way-bill of the Easton, Penn. post office, which stated that about 13 letters were mailed, were found upon him. An officer was immediately sent for, but before he arrived the man escaped.

Information was given to the police magistrates, and the way-bill was handed to justice Hopson. Inquiry was then made at the post office to know if there had been a mail robbery, and the officers were told that the Easton, Penn. mail bag had been robbed, and that the bag had been found in Washington street near the battery, and several letters had been picked up in the street, broken open which *had* contained the drafts above alluded to.

On Saturday afternoon a man was arrested for some petty theft, and on him were found papers or letters which proved him to be the same man who had attempted to pass the above drafts in the morning. He is committed to prison for further examination and trial.

[*N. Y. Mercantile Adv.*

LOSS OF THE SHIP MENTOR. The ship Mentor, of New Bedford, under my command, was lost on the *Pelew Islands*, on the 21st May, 1832, and eleven of my crew were lost at the time, in attempting to leave the ship in one of the boats, viz: Thos. M. Colesworthy, 1st officer; Peter O'Conner, 2d officer; Benjamin F. Harkell, James M. Fisher, David Jenkins, boat steerers; Lewis Burgoin, John Bailey, James Blackmore, Thomas Taylor *alias* James Holiday, William Jones, seamen; and the cook, a black man. The remainder of my crew arrived at Pelew on 24th May, in latitude 7 41 north; the ship was lost on a reef in lat. 8 18, and long. nearly 135 east. We remained on the island until the 23d day of November, when the natives gave us a canoe and a whale boat belonging to the ship, with such provisions as the island afforded, with which we left, in hopes of reaching the island of Ternate, or any other of the Dutch settlements. We left at Pelew as hostages, *James Meader*, *Calvin Alden* and *Horatio Davis*, taking with us two chiefs and one man, natives. On the 29th November, the canoe sunk in a squall. After taking all the men into the whale boat, continued our voyage until the 6th December, when at day-light we discovered Lord North's Island, the natives of which came off in canoes and made us all prisoners, broke the boat in pieces, and stripped us of all our clothes, but otherwise offered us no violence. We remained with them until 3d of February, 1833, when the Spanish ship Sabina, captain Somes, from Calcutta, hove in sight, when myself and B. J. Rollins succeeded in getting on board, leaving Horace Holden, Milton Hewlet, Benjamin Nute, Charles Bowkett, William Sidden and Peter Andrews, with the three Pelew men. Captain Somes being short of provisions, could not wait to get the rest on board, not knowing how long he might have to detain himself, and the natives not wishing to part with us. Captain Somes has done every thing in his power to render our situation as comfortable as possible during our stay on board the Sabina, for which I beg to return him my *most grateful thanks*.

We may attribute our kind treatment at Pelew to the presents they received from the British government, for the kindness and hospitality shown to captain Wilson when he lost his ship on the same island; and no doubt the two chiefs accompanied us in the canoe expecting a reward from the American government for taking care of us, building us a canoe, &c. &c.

Given under my hand at Macao, China, this 24th day of February, 1833, EDWARD C. BARNARD.

U. S. SHIP INDEPENDENCE. A serious disaster had nigh befallen the Independence 74, which is lying in the stream at the Navy Yard, in Charlestown, on Wednesday, 14th inst. Early in the morning, com. Elliott went on board to give directions about having the ship well moored against the arrival of the equinoctial gales, and while on deck, it seemed to him that she lurched more than usual. He ordered the pumps to be tried, which being done, it was ascertained that she had four feet of water in her hold. Some rogue had broken off the brass cock fixed on one of her sides to let in salt water occasionally, and the ship was filling rapidly. But for the timely discovery, she must have sunk during the afternoon or night, in a depth of 50 feet of water.

THUNDER STORM. During a violent thunder storm which occurred yesterday, the marine hospital, a new edifice not yet completed, was stricken and considerably injured. It is probable that the electric fluid entered at the south east chimney, the top of which it tore off, and then separated into three streams, one descending the south east corner, splintering and scorching the window frames, tearing out the iron pullies attached to them, and breaking the glass. The second stream descended the middle of the eastern wall, and destroyed a portion of the plaistering on the inside, which being fresh, showed the marks of the splinters which were stripped off and dashed against it. It then descended to the ground, tearing off a part of the lower eastern door. The third stream descended through the centre of the building, shattering some of the studs to pieces, and stripping off the plaistering, leaving marks of its having followed the direction of the nails, which secured the lathing. The circumstance of there being no lightning rod erected for the protection of the building, will probably account for the different directions taken by the fluid in its passage to the ground. There were, we understand, no persons in the edifice at the time of the accident.

The house of R. M. Allan, esq. on Sullivan's island, was also struck about the same time, and the inside very much shattered, but providentially without injury to any of its inmates. The clap was severe, and the escape wonderful. Mrs. A. who was sitting near the side of the house where the lightning entered, with her infant in her arms, was stunned by the shock, and the infant fell on the floor—but without further injury to either.

[*Charleston Cour. Aug. 5.*

THE TEA SHIP. The following call upon the patriotic citizens of Philadelphia is—from its nature and date—a curiosity in this day. We have seen the original—probably the only one extant—and could not but view it with strong feelings of the great events which followed the apparently trifling cause to which it refers. It was posted as a play card around the city, and proves that the art of printing was, at that remote day, well understood here:

*Monday morning, December 29, 1773.*

The tea ship being arrived, every inhabitant who wishes to preserve the liberty of America is desired to meet at the state house, this morning, precisely at ten o'clock, to advise what is to be done at this alarming crisis.

TRIBUTE TO WASHINGTON AT THE DUBLIN THEATRE. Mr. Hackett, the actor gives the following account of an occurrence at the Dublin theatre. "The first night of Rip Van Winkle, when in the midst of the scene where he finds himself lost in amazement at the change in his native village, as well as in himself and every body he meets, a person of whom he is making inquiry mentions the name of Washington. Rip asks 'who is he?' The other replies—'what! did you never hear of the immortal George Washington, the father of his country?' The whole audience from pit to gallery seemed to rise, and with shouting, huzzas, clapping of hands and stamping of feet made the very building shake. These deafening plaudits continued some time, and wound up with three distinct rounds. To describe to you my feelings during such an unexpected thunder-gust of national enthusiasm is utterly impossible. I choked—the tears gushed from my eyes, and I can assure you it was only by a great effort that I restrained myself from destroying all the illusion of the scene by breaking the fetters with which the age and character of Rip had invested me, and exclaiming in the fullness of my heart 'God bless old Ireland.'"

POISON FROM NEW HONEY. A son of nine, and a daughter of six years, and only children of Samued York, of Farmington, Mass. died a few days since in consequence of eating new honey. They lived about thirty-six hours.

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It is, perhaps, not generally known, (says the Kennebec Journal), that honey recently gathered by bees at a certain season of the year, from the flowers of some poisonous plants, possesses their deleterious qualities, in a highly concentrated state, when fresh, and may prove fatal if taken in sufficient quantity. It has been ascertained that the poisonous effects of some plants, as for instance the Lambkill, so called, depend upon a certain agent, named by chemists, prussic acid. It is also found that this acid very soon loses its hurtful properties by decomposition; so that honey containing such an agent at first, would of itself become pure in a short time, being suffered to remain undisturbed. Occurrences of death from this cause, are, no doubt, exceedingly rare.

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POPULATION OF UPPER CANADA. The York papers give the following as the aggregate of the population of Upper Canada, for the years 1832 and 1833:

| *Districts.* | 1832. | 1833. | *Increase.* |
|---|---|---|---|
| Eastern | 21,765 | 23,743 | 1,978 |
| Ottawa | 5,293 | 6,848 | 1,055 |
| Johnstown | 24,299 | 27,058 | 2,759 |
| Bathurst | 19,636 | 22,286 | 2,650 |
| Midland | 37,457 | 42,294 | 4,837 |
| Newcastle | 21,019 | 25,580 | 4,541 |
| Home | 40,650 | 47,650 | 7,000 |
| Gore | 27,224 | 31,820 | 4,596 |
| Niagara | 24,181 | 24,772 | 591 |
| London | 28,842 | 33,225 | 4,984 |
| Western | 10,627 | 11,788 | 1,161 |
| Total | 260,992 | 296,544 | 33,552 |

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FREE LABOR COMPANY. Already a project has been started for a "West India free labor company." The proposal is to issue transferable bonds, bearing interest at 4 per cent. in sums varying from £100 to £1,000 each. The bonds to be issued to subscribers, who are to make an immediate deposite, and pay up instalments. The company are to buy up West India estates and mortga[illegible]s. The company are to grant leases and estates, and [illegible] estates are to be cultivated by free negro labor.—[illegible] aggregate value of estates and stock is made to be £[illegible],000,000; the money capital to be subscribed £15,000,000; total capital of the company on which *pro re nata* divisions are to be made, £115,000,000.

[*English paper*..

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FACTORY LABOR BILL. It has been already stated, that a proposition made by the chancellor of the exchequer in relation to this bill, was rejected by the house of commons; but the precise character of the proposition was not known when the statement was made. His object was, to confine the limitation of the period of daily labor, specified in the bill, which is eight hours, to children under 14 years of age. This was opposed, as an attempt to deprive the laborers of legislative protection at the very age when it was most required. Among its opponents was Mr. Brotherton, whose remarks were heard with much attention by the house. He said among other things, that

"It had been said that young persons above 14 years of age could make their own bargains; but it was in evidence that such young persons were obliged to work 15 and 16 hours a day, and when they had urged the inability of their strength to do so, had been told to quit; so that they must either comply with those hours of labor or starve. He must be permitted to state that he felt strongly and was deeply interested in this important subject, and he was not ashamed to say, even in this house, that he himself, from the age of 12 to 16 years, had worked in a factory from 12 to 14 hours a day.—(Hear). He had endured all the privations now suffered by those young persons whose case was now under discussion, (hear)—and for them he could not but feel a deep sympathy—(hear)—for although he had been elevated by his fellow countrymen to the high honor of a seat in the British house of commons, he could neither forget the situation in which he had once stood—(hear)—nor could feel otherwise than much disposed to stand by his order.—(Hear, hear). If he could accomplish any relief to that class from the grievances under which they at present labored, he should feel satisfied that he had not lived in vain." (Hear, hear).

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A METAPHYSICAL HORSE-WHIPPING. Those of our readers who have attended to the contest between Don Pedro and Don Miguel, may remember, that some months ago, the former, from dissatisfaction with the commander of his fleet, admiral *Sartorius*, sent his aid-de-camp, sir John M. Doyle, to put him under arrest. When, however, the aid-de-camp stepped on board the admiral's ship, he himself was arrested, and kept in confinement. For the indignity of this proceeding, the soldier called upon the sailor for explanation; the sailor's reply was, that sir John could hardly have calculated upon any other treatment, when he ungraciously volunteered on such a mission, but that if brother officers think he (the admiral) owes any satisfaction to sir John, he would be happy to afford it to him, whenever they might meet at home or abroad, he (the admiral) being *then* about to proceed to France: thereupon, the knight, after expressing his regret at the necessity of the case, thus writes to the admiral:

It now becomes an imperative but painful duty on my part to request your excellency will do me the favor to conceive that you have been horse-whipped by sir J. M. Doyle, K. C. B. and K. T. S. who laments that your unaccountable and unwarrantable conduct should oblige him to adopt this as the only step your intended flight from the scene of your gallant exploits has left open. But should your excellency, on more mature reflection, revoke your intention of proceeding forthwith to France, I shall be most happy to receive you at the Foz whenever you are pleased to appoint, and to assure your excellency that every attention and requisite accommodation will be provided for you during the short period that your residence may be necessary on that occasion in Portugal.

Hereupon, the London Times, in the paragraph we copy, suggests a way out of the quarrel, without compromising the honor of either party:

"Sir John Milley Doyle, with a finished politeness and an amusing *naivete* worthy of those distinguished heroes, *major O'Flaherty* and *sir Lucius O'Trigger*, requests his excellency vice-admiral Sartorius 'will do him the favor to conceive that he has been horse-whipped by sir John Milley Doyle, K. C. B. and K. T. S.' Now, there is a precedent, and a very celebrated one, in the French code of honor, (and no code is more sensitively delicate), which the vice-admiral may at once readily adopt, and thus honorably settle this inauspicious quarrel. Let him answer, in the words of the precedent, that 'he (the vice-admiral) begs the favor of sir John Milley Doyle, K. C. B. and K. T. S. to be assured that he (the vice-admiral) has run the said sir John through the body.' Thus this metaphysical duel will end as it began, in an imaginary collision. How much better than the reality for both parties!"

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## BRIEF NOTICES.

A wonderful invention it is said was discovered by a Frenchman named Battineau in 1765, by which vessels at sea can be discovered 250 leagues off. The instrument is called nauscopie, and an account of it is given in the London Monthly Magazine. A nebulous satellite, according to the invention, precedes a ship for several days, which can be seen. The French government did not patronise Battineau, and he was living in obscurity in 1810.

Lieutenant Collings Long, commanding the U. S. schooner Dolphin, states in a letter to the secretary of the navy, dated April, 1833, Valparaiso bay, that for the nine months previous only nine persons on board had drawn the liquor part of their rations.

Captain E. V. Sumner's corps of U. S. dragoons, or rangers destined for the Indian service, arrived at Buffalo, on the 3d inst. and left next day for their place of destination. The Buffalo Journal says, they were the finest looking raw recruits we ever saw; all New Yorkers, selected by capt. S. himself from the northern and western counties of the state, within the age of 25 years, and as nearly as possible 5 feet 8 inches in height. All possessing a good English education and of strictly correct habits. Such youth, with such a commander, who permits the performance of no menial service from any member of his detachment, and fares as they fare, cannot fail to prove useful and become an ornament to the service.

The Jackson republican democratic convention met at Hagerstown, Md. on the 10th instant, and nominated Francis Thomas, esq. as a candidate for congress.

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The national republicans of the Easton district, on the Eastern Shore of this state, have nominated the hon. *Robert H. Goldsborough*, formerly U. S. senator, as their candidate for congress.

We regret to learn that Dr. *John T. Reese*, the candidate of the Jackson party for the above district, died in Philadelphia, on Tuesday last. Dr. R. was an accomplished gentleman and eminent physician, and was very highly esteemed for his social virtues.

An affray took place at the rail road on Monday evening last. It appears that certain colored persons wishing to go to the lake, took possession of the cars appropriated to white people; that they were turned out of them; went away and armed themselves, returned and attacked Mr. Reeves, the clerk of the road, by firing pistols at him, &c. Two of them have, we understand, been apprehended and bound over to appear at the next session of the criminal court. We should think it was high time a stop was put to the outrages of this class of gentry.

[*N. O. Argus of Aug.* 1.

Mr. McDuffie being present at the commencement of the college at Athens, Georgia, a dinner was tendered him and accepted. It was attended by great numbers and the guest received every demonstration of the most enthusiastic admiration. His speech, requested for publication by the committee, will speedily appear.

The trial of *Antonio Le Blanc* for the murder of Mr. Sayre and family, is going on at Morristown, N. J. before judge Ford. The prosecution is conducted by Henry A. Ford, esq. district attorney, assisted by John R. Brown and Jacob W. Miller. For the prisoner, William L. Halsey, of Newark, and Francis Maccullock, of Morristown. "The court has expressed a most positive injunction against publishing the proceedings of the trial during its progress. The penalty of disobeying this order will be *imprisonment*."

A man was discovered a few mornings since, says the New York Journal of Commerce, busily at work with a chisel and hammer, long after day light, forcing his way through the wall of the bank of New York, on the William street side, and no one interrupted him.

Anne, the daughter of sir Walter Scott, died on the 20th June last, after an illness of ten days. Her death was occasioned by a brain fever, increased by distress at the loss of her father.

The friends of ex-lieutenant Randolph in the city of Williamsburg, Va. gave him a dinner on the 24th ult.

Young Frothingham, whose mysterious disappearance we alluded to last week, arrived at New York from Liverpool on the 6th inst.

Well executed counterfeit $20 notes of the U. S. bank, Savannah branch, are in circulation at Baltimore. They are of the letter S. dated Sept. 2, 1826. The signatures are pretty well done—but upon close inspection it can be perceived that the cashier's name has been traced in a faint line, and then written over with a pen.

Charles Watts, judge of the 4th judicial district in the state of Louisiana, has been appointed judge of the 1st judicial district of that state, in place of judge Joseph Lewis, deceased.

James Bourman, esq. of New York, has made a munificent gift to the New York institute for the blind. He has executed an indenture of lease for ten years to that institution, at the nominal rent of a pepper-corn, per annum, of the buildings and ground formerly called Abingdon place, a short distance beyond the paved part of the city. The dwelling house is 100 by 54 feet, the lot is over two acres, and has on it beside the dwelling two stone kitchens.

The whole number of passengers over the Saratoga and Schenectady rail road during the week ending on the 17th inst. was 2,751.

It is stated in one of the Boston papers that Mr. Webster is preparing a report of the speech delivered by him at Pittsburgh during his recent visit there.

The collector of the Delaware division of the Pennsylvania canal at Easton, received $1,572 94 toll during the week ending on the 14th inst.

A monument is to be erected to the late governor Lincoln, of Maine.

The expense of entertaining the president at Boston, is said to have amounted to $11,000; and at New York, to $8,000.

We are pained to learn that our old and esteemed friend, Mr. Wilson, the editor of the Steubenville Herald, and his lady were seriously injured on the afternoon of the 9th instant, by being thrown out of a gig. The accident was occasioned by two young men who were riding a race. On coming up to Mr. W. at full speed, his horse took fright and run off, when one of the reins broke, the gig was precipitated against a tree, and broke literally to atoms. Mr. W. and lady were thrown out on opposite sides. Although no bones were broken, no part of their limbs escaped contusion. In addition to very serious wounds on his limbs, Mr. W. received two contusions on his head and a severe bruise on one of his sides. They are both recovering slowly. They had been paying a visit to a sick friend a few miles in the country.

It is stated in the National Intelligencer, that lieut. T. R. Gedney, of the navy, has lately taken out letters patent for an improved method invented by him of raising vessels upon an inclined single railway, for the purpose of cleansing their bottoms, repairing, &c. Letters from com. Rodgers and James Humphreys, naval contractor, speak in approval of the plan.

The hon. C. A. Wickliffe has been elected a member of the Kentucky house of delegates, from Nelson county.

A public dinner was given on the 12th inst. by the common council of the city of New York, to the officers of the army and navy on that station.

The officers, and a number of respectable citizens, met the common council in the governor's room, and proceeded in carriages to Bellevue. After going through these extensive buildings, they proceeded to Mount Vernon, whence they were conveyed in boats to Blackwell's Island, and visited the public institutions and every thing relating to the establishment. They then retired to an elegant bower, fitted up with great taste, and sat down to a sumptuous dinner, provided for the occasion. The guests consisted of about 50 officers, comprising all grades, from the commander to the midshipman, together with the officers of the army on that station, and about fifty citizens.

Alderman Cebra, president of the board of aldermen, and acting mayor, presided—assisted by assistant alderman Van Wyck, president of the board of assistants. On the right of the chair were captains Ballard, of the U. S. ship Delaware, and Newton, of the U. S. ship St. Louis—on the left were captains Kearney and others.

As soon as the cloth was removed, the acting mayor addressed captain Ballard, in an appropriate manner, who replied in a very neat and pertinent speech.

A free negro calling himself James Warfield, has been committed to the jail of Harford county, Md. charged with the commission of a rape upon a little girl aged nine years, the daughter of Mr. William Adams, a respectable resident of that county.

In the 9th election district, Mass. there has been a second unsuccessful attempt to elect a member of congress. The vote stood thus, gen. Dearborn, national republican, 2,179; Mr. Jackson, anti-mason, 1,842; and Dr. Thurber, Jackson, 703.

Charles Martin Baker, who left Philadelphia for Baltimore a few weeks since, and for whose safety fears were entertained by his family, was in Cincinnati on the 5th inst.

The ceremony of breaking ground upon the New York, Providence and Boston rail road, took place at Stonington, on the 14th inst. being the anniversary of the battle of Stonington. The Journal of Commerce states that the company, to the number of fifteen hundred ladies and gentlemen assembled in that gallant borough. The spades were taken by John S. Crary, esq. of New York, president of the company, and by their excellencies governor Edwards, of Connecticut, and governor Francis, of Rhode Island. The work was then commenced in both states. Afterwards the guest partook of an excellent dinner, provided by order of the company. The day was fine, and all the events of it auspicious.

The brig Bolivar Liberator, Underwood, arrived at Manilla, from the Sandwich Islands, but the captain was not allowed to enter, or even go ashore, on account of the name of his vessel, and consequently she proceeded to Canton. Manilla is a Spanish port.

We understand one of the factories in Pawtucket, R. [illegible] stopped operations, in consequence of the high price of co[illegible]

An anti temperance meeting was held at the court hou[illegible] in Elizabeth City county, Va. on the 20th ult. The meet[illegible] was organized by appointing Samuel B. Servant, chairman [illegible] Jas. Gammel secretary. A committee was appointed who [illegible]ported a preamble and resolutions, condemning temperance societies as destructive to communities.

The woods near Sandy Point, Westmoreland county, (Va.) were set on fire by lightning, lately and much valuable timber was destroyed and other damage done before the flames could be extinguished.

A 120 gun ship, called the Waterloo, was launched at the Chatham yard in England, on the 18th of June last, the anniversary of the victory. She has been building six years. She is inferior to our ship the Pennsylvania.

A splendid ship of 550 tons burthen, called the Hark Away, was launched in this city on Saturday last. She was built by Mr. James Beacham, for Messrs. James S. Brander, & Co. of Petersburg, Va. and is intended as one of the regular line of packets about to be established between James river and Liverpool.

The editors of the Petersburg, (Va.) Intelligencer, have seen a specimen of cotton cloth, manufactured by the Merchants' company of that place, which has been pronounced by good judges to be equal to any thing of the kind ever made in this country.

Three hundred and seventy-five good active horses are wanted by the 1st of next month, at St. Louis, for the use of the U. States army station in the west.

William J. Grayson, of St. Helena, South Carolina, has been nominated by a convention, as the nullification candidate to represent the Walterborough district, vice Robert W. Barnwell, who declines a re-election.

The hon. John Stanly, formerly a member of congress from North Carolina, died at Newbern, on the 3d instant. He was a gentleman of great abilities and ranked among the first orators of that state.

The Black Horse tavern situated four miles from Pittsburgh, on the Pittsburgh and Greensburgh turnpike road, was consumed on the night of the 7th instant. The loss is stated at $3,000.

The London Morning Herald states that it is reported, upon good authority, that Mr. and Miss Fanny Kemble have, by their united performances in America, cleared £12,000—nearly $60,000!

It is stated in the New York Journal of Commerce that the office of the United States district attorney, has yielded the in-

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cumbent, James A. Hamilton, esq. for four years past, an average of $25,000 per annum.

A communication in the Richmond Whig states that a gold mine has been discovered on the lands of Mrs. Price, of Louisa county, Va. supposed to be the richest yet discovered in that state.

The national republican convention of Maine, have nominated *Daniel Goodenow*, as their candidate for governor of that state.

Mr. William Lore, a respectable citizen of Maurice river township, Cumberland county, N. J. was killed on Thursday last, at Milleville, by a horse running against him, while he was conversing with a gentleman in the street. He survived but a few hours.

A writer in the Providence Journal mentions that Miss Diana Colwell, wove last week in the mill in the village of Blackstone, fifty pieces of cotton cloth, each containing twenty-eight yards, making in all one thousand four hundred yards; and at the price paid for weaving, her wages amounted to nine dollars.

A display of fire works was made a few evening since at the Rip Raps. The president was standing near a barrel of combustibles, to which, by some means, fire was accidentally communicated—when away went, with an explosion, rockets, stars, wheels, serpents, &c.—one of the missiles just grazing the president, another striking one of the ladies, &c. Fortunately no one was injured. [*Alexandria Gaz.*

As a passenger was stepping ashore from the steamboat Fanny, at Albany, feeling a nibble at his fob, he turned round and caught a fellow by the collar, who had just fingered his wallet. The sharper, finding himself *surprised*, dropped the pocket book, which the owner found at his feet. Unwilling to be detained as a witness, the passenger, after obtaining his money, let the rascal escape.

"*To the victor belongs the spoils.*" A farmer who was in the garden to witness the ascension, had his pocket rifled of a wallet containing $170. He thinks the operation was performed by a chap who was most officiously polite in showing him the direction that one of the pioneer balloons was taking! [*Albany Eve. Jour.*

Robert Potter, who was some time ago imprisoned for a nameless outrage, perpetrated on the persons of the rev. Mr. Taylor and his nephew, in Granville county, and who is still in jail, was a candidate to represent that county in the legislature of North Carolina, and came within *eleven* votes of being elected!

During the 24 hours preceding 9 o'clock on Saturday morning last, there were received at our post office *nine thousand seven hundred and one ship letters*, and rising of *four thousand packages and paper parcels*—making a grand total, in 24 hours, of about 14,000; all of which were handled several times by the different clerks, marked, distributed and mailed, before 2 o'clock. [*New York Gazette.*

We learn from the New York Traveller, that the celebrated colt Midas, by Eclipse, died lately near that city. Midas was matched against Mr. Wm. R. Johnson's Jessup, by Medley, for $10,000, to be run for over the Long Island course in October. His death is supposed to have been produced by the ball [which is usually given at the commencement of the training] sticking in his throat.

Advices from Para, received at New York, represent that portion of Brazil to be in a very unsettled state, in consequence of political excitement among that class of the people who have nothing to lose and every thing to gain by changing the existing order of things. The feeling towards the European Portuguese was hostile, and it was feared would manifest itself in riot and bloodshed. The operations of trade were also greatly embarrassed by the introduction of spurious copper coin in large quantities from the United States.

The rev. C. P. McIlvaine, bishop of the Protestant Episcopal church in the diocess of Ohio, has recommended to the clergy under his charge, to set apart Tuesday, the thirteenth of August, as a day of fasting, humiliation and prayer, and that wherever the scourge of cholera may reach, they will show to their flocks an example of stedfast trust in God and fearless waiting upon his will—abiding at their posts, going in and out among the people in all works of consolation and usefulness—being specially assiduous in attentions to the sick and dying in their respective neighborhoods; and endeavoring to lead their people to be diligent in doing good, and thus to manifest that their "faith worketh by love," and their "love casteth out fear."

The Lancaster Journal says, "by letters from Mr. Buchanan, our minister to Russia, we learn that he may be expected home in November next."

## FOREIGN NEWS.

*From Liverpool papers to the 16th July.*

GREAT BRITAIN AND IRELAND.

The great and all absorbing question, the Irish reform bill was to have been brought up for consideration on the 18th ult. The duke of Wellington had given notice that it would be opposed on its second reading. It is said that it is supposed that the duke's party would be able to out vote earl Grey, and that the tories were so certain of victory and of causing ministers to resign, that they had made arrangements for a new ministry, in which neither the duke of Wellington nor sir Robert Peel would be included. The speaker of the house of commons, Charles Manners Sutton is named as the intended premier.

Lord *Brougham's* bill reforming the local courts had been rejected. Lord Hill, the commander-in-chief voted against it, and it is intimated that should he repeat his refractory spirit he would be compelled to resign.

Mr. Ferguson had moved in the house, "an address to his majesty that he will be graciously pleased not to recognize, nor in any way give the sanction of his government to the present political state and condition of Poland, the same having been brought about in violation of the treaty of Vienna, to which Great Britain was a party."

Lord Palmerston, in reply, admitted the truth and justice of all the observations and details made by the hon. mover; but, at the same time, deprecated the pressing of the motion, on the ground that, if carried, a war with Russia would be inevitable.

Lord Althorp followed in a similar strain, and moved the previous question.

Lord J. Russell hoped, that though ministers might concur in the sentiments of the mover, he would withdraw the motion, on the ground that when the unanimous opinion of the house went forth to the world, it would have more effect than if a division took place and a large majority voted against it.

He was followed by Mr. Hume, Mr. Attwood, Mr. O'Connell, Mr. Sheil and several other members, who argued in favor of the motion, as being due to the character and feelings of the country; and by lord Palmerston and Mr. Stanley, who, as well as Mr. Warburton and sir Robert Peel, argued against it, as being likely to involve the country in a war, for which it was not prepared. Mr. Cutlar Fergusson replied, and the house divided, when the numbers were—for the previous question, as moved by lord Althorp, 177; against it, 95; majority 82.

Rapid progress was making in the *bill rechartering* the East India company.

Mr. Bulwer moved an address to the king calling for copies of papers respecting the measures pursued by Russia in her interference with the state of Turkey. He asked if there was any government in the country. (Lord Althorp—here we are). It did not follow, said Mr. B. that because they were here, that they constituted a government. He condemned ministers for having taken no share in the affairs between Turkey, Russia and Egypt. No one could doubt that the object of Russia was to reduce Turkey under her dominion.

Lord Palmerston replied and said a correspondence was now going on on the subject, and the motion would be productive of inconvenience; he doubted not Russia would preserve her faith, and hoped that confidence might be reposed in government, on this subject, for a very short time longer.

Mr. Bulwer in consequence of lord Palmerston's statement withdrew his motion.

On the 12th July, the lord Chancellor introduced his bill founded on the report made by the commissioners of inquiry into ecclesiastical courts. By this bill about 300 diocesan courts will be abolished and their business transferred to the ordinary jurisdictions. The court of peculiars—does any body out of the profession know any thing of it, even the name?—is to be abolished, and criminal actions for brawlings, &c. are to be transferred to the judges, these offences being made misdemeanors.

The statute of frauds, also, is to be extended by it to the probate of wills, and real property thereby put on the same footing as personal. The marquis of Westmeath, who has had some experience of the present system in the ecclesiastical courts, and the bishop of Lincoln, approved of the principle of the bill, which was read a first time.

At an adjourned meeting of the West India proprietors, at the Thatched House tavern, the earl of Harewood in the chair, resolutions were passed, declaring—"That the meeting was anxious to adopt the principle of the resolutions of Mr. Stanley; that they had always been ready to offer to his majesty's government their local knowledge and practical experience; that the proposed bill meditated an unnecessary interference with the rights and privileges of the colonial legislatures; and that a committee consisting of the agents of islands, and other gentlemen, should be appointed, to examine into the details of the bill, and report hereafter upon it.

Dublin papers announce the death of Dr. Laffan, Roman Catholic bishop of Cashel, and brother of sir Courey De Laffan, baronet.

The Liverpool cotton markets up to the 15th ult. continued brisk and a further advance on Sea Islands of ½d., and ¼d. on all other American and Brazil had taken place. On East India cotton had improved ¼d. The sales in the latter descriptions were limited. The sales amount to 36,310 bales, consisting of 1,110 Sea Island at 13¾d. to 27d. 100 stained, 9½d. to 11¼d. 13,820 bowed Georgia 8¼d. to 10d. 6,010 Mobile, Alabama and Tennessee, 8¾d. to 9¾d. 7,400 New Orleans, 8¾d. to 11½d. 2,050 Pernambuco and Ceara, 10½d. to 11¾d. 1,890 Bahia and Macceio, 9¾d. to 10¼d. 660 Maranham, 10¼d. to 11½d. 70 Demerara, &c. 10d. to 11½d. 170 Egyptian, 11¾d. to 13d. 90 common West India, &c. 9¾d. and 2,940 Surat at 6½d. to 7½d per lb. The imports are 11,136 bags.

PORTUGAL.

The news of the capture of the fleet of Don Miguel by that of Don Pedro, under rear admiral Napier, has been confirmed. The *Liverpool Times* of July 16th contains positive accounts to that effect. The Birmingham steamboat arrived at that place on the night of the 15th bringing Senhor Mendizable, bearer of despatches, who landed and proceeded immediately for London. The followinging is said to be the substance of his despatches.

It appears that rear admiral Napier, with his squadron, consisting of three frigates—the Rainha da Portugal (flag), Don Pedro, and Donna Maria; a corvette, a brig, and a schooner,

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sailed from Lagos on the 2d instant, and on the 4th came in sight of Don Miguel's fleet, consisting of nine ships, but there being no wind, the admiral was not able to bring the enemy to action, upon which he called on the steamers to tow his ships towards the enemy which they declined, unless the value of the steamers was secured to the owners. On Friday the 5th inst. however, a breeze sprung up, when rear admiral Napier bore down on the enemy and commenced the action about 3 o'clock in the afternoon by attacking the Da Rainha, mounting 74 guns, which he carried in gallant style. The Don John, alarmed at the fate of her consort, made all sail to escape a similar fate. Admiral Napier, having secured the Da Rainha, immediately chased the flying ship, and after a long chase, during which the Don John kept up an incessant fire from her stern chasers, came up with the enemy, who at once struck his colors.

The Princess Real, 50 guns, was captured by the Donna Maria, of 38 guns, after a short but smart engagement of twenty minutes, in which we regret to say captain Goblet, commander of the latter ship, was killed. A store ship, after a desperate conflict with the Don Pedro, likewise surrendered, as did two of the smaller ships. The remainder of the enemy's fleet, consisting of three brigs and a schooner, effected their escape. Thus terminated an action which proved the destruction of Don Miguel's naval force, and which in its results is of the utmost importance to the cause of the legitimate sovereign of Portugal. Besides the loss of capt. Goblet, the constitutionalists have to deplore the loss of captain George, and lieutenant Woolridge, flag lieutenant to rear admiral Napier, and several other officers, also a considerable number of officers and men wounded. Among the latter is the son of rear admiral Napier.

On the return of the squadron with their prizes to Lagos, (where they will be immediately refitted for the service of her majesty Donna Maria), the corporate body presented admiral Napier with a crown formed of laurel.

The whole of the province of Algarves has declared for the young queen, and the constitutionalists now feel certain of establishing Donna Maria on the throne of her ancestors. The Tagus is blockaded. The number of troops which have declared for the queen in the kingdom of Algarves is differently represented, from 3,000 to 7,000. Adding these to the troops of marquis Palmella and count Villa Flor, it makes their army to amount to between 7,000 and 10,000 men, with which they were rapidly moving towards Lisbon. The war was expected speedily to be brought to a close.

The Birmingham called off Oporto with despatches for Don Pedro on the 10th, and communicated with the transport off the bar, the commander of which came on board the steamer, and stated that an attack had been made on Oporto by Don Miguel's forces on Saturday last, which was repelled with great loss to the enemy. During the voyage home, the Birmingham fell in with the George the Fourth steamer, which sailed hence for Lisbon last week with Marshal Bourmont on board, and communicated the intelligence of the capture of the fleet.

RUSSIA.

Despatches from St. Petersburgh, as also the St. Petersburgh Gazette, received in London on the 14th of July, mention a plot against the life of the emperor of Russia, on the part of some Polish exiles, who left Paris a short time ago, and bound themselves by an oath to effect his assassination. It was first made public by a journal which gave an account of the reception of a deputation which waited upon the emperor in Finland to congratulate him on the frustration of the conspiracy. It seems that the Russian authorities did not wish the matter made public, but on this account appearing deemed it right to allude to it in the Gazette. The sensation created throughout Russia is very great, and all sorts of precautions are employed to protect the emperor in his various visits to the frontier towns.

TURKEY.

The Egyptians were still on the retreat. Ibrahim pacha's vanguard was on the other side of Koniah.

STILL LATER.

The ship Governor Troop, arrived at New York, brings Liverpool dates to the 17th July, which states "that the duke of Palmella has received full powers from Don Pedro to place himself at the head of a regency at the Algarves, and that in that capacity he may be expected to make a formal application to the British and French governments for the recognition of Donna Maria as queen, *de facto*, of Portugal. Indeed some surprise has been caused by his not having done so already. There is said to be great disinclination on the part of some of the members of our cabinet to take any step in favor of the Portuguese constitutionalists on a direct application of Don Pedro, but it is highly probable that the regency established in the Algarves will not make a fruitless application, when it is considered that the only grounds of objection hitherto assigned by our government for the non-recognition of the regency are removed, and that the capture of the Miguelite fleet by admiral Napier, has entirely changed the complexion of the contest."

The landing of Don Pedro's troops in Algarves had given great alarm to the cabinet of Ferdinand of Spain, and report says, that they immediately hurried off troops to the frontiers. The cortes were dissolved on the 4th of July.

The London, Liverpool and Leeds markets continued brisk, the demand for some articles were entirely beyond the supply.

## LETTER FROM A POLISH OFFICER.

The following extracts are translated from a letter from a gallant Polish officer, to a friend of ours in Boston, who has for years past felt a deep interest in the affairs of that brave and unfortunate nation. The name of *Wodzynski* is a sufficient guarantee for the truth of what is said. [*N. Y. Com. Adv.*

*Chateau de Montargis, April* 1, 1833.

*My dear friend:*—You will have learned by the journals, that since my last, the national Polish committee, presided over by Lelevel, has been dissolved by an arbitrary order of the French ministry, on the formal demand of the Russian ambassador. Subsequent orders, entirely in the Russian spirit, obliged all of us exiles, to leave Paris, and to abandon entirely the affairs of our brethren in exile as a body. But a new committee has been attempted under the presidence of our gallant friend Dwernicki; unhappily, however, the choice was made in haste, just before the breaking up of the committee, only a few members being present, and those the ones whose conduct had been so unpopular with the exiles that they were obliged to resign. Still, we hope we shall soon succeed in forming a new committee, that we may preserve at least a rallying point, and the shadow of a political existence, which, however, the Russian ambassador is striving to destroy, even on the soil of France.

You know how shamefully we have been treated: how, cooped up in small and retired places, it has been forbidden us to leave them: how our unfortunate youth, who wish to profit by the advantages of Paris, in finishing their education, have a thousand and a thousand difficulties thrown in their way. But alas! this is not the worst: it seems the *coup de grace* is to be given, for the minister of war has published a circular to the Polish officers, saying that the French government will endeavor to obtain an amnesty for them, so that they *may return to their homes!* You know, my dear sir, the cruel tendency of this measure, which the world will call a generous and magnanimous one! Oh God! it boots man to have more than a soldier's patience, to support such a horrible situation; and yet, my countrymen seem to have it, I know not how, but yet they keep up their hearts and their hopes; they have got up little schools among themselves, and seem determined to make most of their sad exile. * * * * * * * *

I will spare your sensibility, and not give you the detail of the sad and sickening news we receive from our unhappy country;—enough, that it is the same old system—the same persecution—the same confiscations—the same outrages and *transportations*, which freeze the blood to think upon, and which our ruthless tyrants follow up with hellish perseverance. One must have much faith, much strength of mind, when with thousands, innocent as himself, he is suffering such persecution, not to doubt the existence of eternal justice. * * * *

It is the tyrant of the north, who has revivified the spirit of the holy alliance—for it is this spirit which governs and oppresses all Europe. You know the state of France, and the men who have seized upon the reins thrown down at the revolution of July—men who have done nothing during the past year, but make bad worse. There is no meanness, no cowardice, no deception, which Louis Philippe has not practised to strengthen his seat on the throne of the barricades; and at the same time to make the other thrones forget the popular origin of his own, and to unite it more firmly with theirs.

Public opinion in France seems to be in a state of complete lethargy; men seem almost to despair of better things, for although the present ministry is condemned and hated by the vast majority of the people, it still exists, and still goes on in its course, unopposed by aught but silent indignation. This state of things cannot exist long, but it is impossible to know when it will terminate. * * * * * * * *

In England, where public sympathy was at one time so strongly awakened in our favor, every one is occupied at present with more intense interest about their own internal affairs, and more fully awake to the true character of the *soi disant* ministry of lord Grey: the late measures against Ireland seem to arouse the people to observation at last. On the whole, the political situation of England does not differ much from that of the rest of Europe. * * * * As for us, our minds are made up upon the course we must follow. There seems nothing to hope from the actual state of things—nothing from the darker policy of Europe, which seems to be that of arresting the march of mind, and of retarding the progress of civilization and humanity. We agree perfectly with what you tell us, that there is little to hope for our country, but from a general effort which shall break up the oppressive system which at present broods incubus like over all Europe; and we believe, too, with faith, that although appearances are now against it, it must be broken up; that the progress of light and reason, founded as they are upon the immutable laws of God, must work its effects, in spite of the artificial barriers erected against them. * * * * * That which you tell us about the sympathy of the American people for our sufferings and for our cause, serves to confirm us in our hopes, while it consoles us in our misery. We know that the American people can do nothing for our country, until the knell of vengeance shall have tolled, and the day of struggle shall have again dawned. They have done for us already, much more in proportion, than those nations of Europe who ought to have succored us as much, in gratitude for services done them, as in regard of their own interest; and they have done it from pure sympathy, and noble sentiment—for, not for America, as for France, have two hundred thousand Poles given their best blood. The Americans have not partaken of the hospitality and eaten the bread of Poland, as did the French emigrants and the soldiers of the grand army; the liberties and commerce of America were not

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menaced by Russia, as were those of France and England. In counting, then, upon the sympathy of the American people, we shall never forget what we owe them for the voice of sympathy and the welcome supply sent in the dark hour of our agony. We shall not forget what her agent suffered in the prison of Berlin, for having carried consolation and hope to our poor soldiers in the forests of Posen, nor shall we forget that even to this hour, they interest themselves in our situation, and pray for our deliverance. * * * * * * *

WODZYNSKI.

## POLITICS OF THE DAY.

*Correspondence between Mahlon Dickerson, senator in congress from New Jersey, and William H. Crawford, esq.*

*Suckasunny, (N. J.) 4th Oct. 1832.*

My dear sir: I owe you many apologies for not having sooner answered your letter of the 30th of June last—but, overwhelmed with the business that crowded upon me at the close of the session of congress, I omitted writing an answer 'till I should reach home; and here I found my business so much in arrear, in consequence of my long absence, that I was completely occupied for a month—when my house was filled with my friends who had escaped from the cholera, since which, my time has been entirely occupied. And these circumstances must account for my apparent neglect.

Your letter, although written with the most friendly intentions, could have no effect in influencing my vote upon the tariff, as it was not received 'till after that subject was settled in the senate. On the 29th of June we received the tariff bill of the house of representatives, and on the 7th July, passed our amendments to a third reading.

Your letter is postmarked the 1st of July, and reached Washington on the 8th, (Sunday) although, in consequence of my absence, I did not read or see it 'till the next day.

We afterwards had a committee of conference, of which I was a member, in which I assented to a report, by which we yielded to the house of representatives, and abandoned a part of our amendments to which they had disagreed, some of which ought to have been adhered to—but I was not willing to hazard the loss of the bill, by a vain attempt to oppose a majority of the conference—greatly as the bill was calculated to injure many important manufactures in the United States, I thought it better to pass it, if it would be considered as a measure of conciliation by the south, as we were assured it would—an assurance we considered as fully justified by the final vote.

Of my high estimate of your character and opinions, you have many proofs. If any one could persuade me to abandon my principles of protecting the agricultural, commercial and manufacturing industry, it would be yourself—and the preservation of the union, which you urge, would be the strongest argument that could be offered: but this I could not do, without betraying the trust reposed in me; and in my humble opinion, there is more danger to the union from abandoning the protective system than from adhereing to it.

There is no difficulty in reducing the revenue to the exigencies of the government, by repealing, or greatly diminishing the duties upon unprotected articles, without affecting the important articles of manufacture now protected by law; and this would be precisely as great a relief from taxation as if the reduction took place upon the protected articles. This, however, would not answer the views of those who are determined that we shall import from Great Britain manufactures to the amount of 12 or 15 millions of dollars a year, in addition to the enormous value of those we now import.

To prevent this mode of reducing the revenue, a plan was devised, that the duties should be equalized: in the language of gen. Hayne's amendment to Mr. Clay's resolution, "so that the duties on no article shall, as compared with the value of that article, vary materially from the general average."

This scheme of a general average of duties was as ingenious as it was novel, and had it been carried into operation would have destroyed the most important manufactures of this country, for the sole benefit of Great Britain.

There is nothing that betrays a more deadly hostility to the interest and prosperity of the eastern, western and middle states, than this plan of a general average of duties—if such an average could be just under any circumstances, why was it not adopted when it was necessary to raise twenty-three millions of dollars a year by duties? If not proper heretofore, why is it proposed now, when we propose to raise but thirteen millions by duties?

It was always expected that on the extinction of the public debt, there would be a reduction of revenue to the amount of ten millions of dollars a year; but it was not anticipated in the eastern, western and middle states, that this was to be the period of abandoning the protective system. If it was right to protect manufactures, when we were in debt, it is equally right when we are out of debt. Are the millions of property accumulated while in debt, to be sacrificed when the debt is paid? Is the prosperity of agriculture, commerce and manufactures to depend upon the national debt? Are all engaged in those interests to be sustained while we are in debt, and crushed when we are no longer so?

The national debt does not give the power to protect the industry of the country, nor does its extinction take away that power.

The southern states now make remittances of their produce, in exchange for which they obtain foreign merchandise, not only sufficient for their own consumption, but also to the amount of more than twelve millions of dollars a year for the consumption of the eastern, western and middle states; thereby rendering those states tributary to them. And it is a subject of deep complaint that those states do not consume of such merchandise to the amount of twelve or fifteen millions more, as they would be compelled to do, but for the manufactures of this country, and for which the cotton planters would pay in their produce, as they verily believe—and this is truly the cause of the great struggle which now agitates the states, and which has produced an excitement in the south, that may be attended with the most disastrous consequences.

The grain growing and manufacturing states do not expect so to regulate the commerce of the United States, as completely to countervail the restrictive regulations of Great Britain and other European governments, so that the produce of those states shall be received in exchange for their whole imports, which to them would be an immense advantage; but they think that the southern states ought to be satisfied with the advantage they now enjoy, of paying in their produce to the amount of twelve or fifteen millions of dollars annually, for imported articles consumed by them, the grain growing and manufacturing states. This, to the southern states, is one of the benefits of the union, which they would most certainly forfeit, should this union be dissolved.

We are making no struggle to pay by our exports, for articles to be consumed in the south, but we struggle to prevent any further addition to the amount of imports for our consumption to be paid for in the produce of the south, and to nations, which exclude our productions under prohibitory duties. And for this we are accused of pillage, fraud and robbery, even upon the floors of the two *houses of congress*, in terms the most gross and insulting. And although terms of recrimination have not been applied to gentlemen from the south, it is a lamentable fact, that this unceasing clamor and abuse have produced the most indignant feelings in many sections of the country, that may throw insuperable difficulties in the way of an amicable adjustment of the unfortunate controversy.

If the prices of goods of kinds manufactured in the United States, had increased in consequence of the tariff, there would be some cause of complaint; but this is not the fact, except in case of coarse woollens, and this is in consequence of the votes of the gentlemen from the south. On the contrary, the prices of most of these have decreased, and that in consequence of the foreign and domestic competition, and are in fact much lower than they would have been, had no such competition taken place.

A very small portion of the citizens of the eastern, western and middle states are engaged in manufactures; they have to pay the same price for manufactured articles, foreign or domestic, that is paid in the south; and if these were enhanced by the encouragement given to manufactures, they would as soon complain as the gentlemen of the south; and yet upon this subject, there is no complaint among them, for the plain reason, that there is no cause of complaint.

You consider as a delusion, the idea that the duty upon imports is a tax upon the exporter, as such;—yet this delusion has had a most decided effect in producing the excitement in the south, and although the delusion has passed away, the excitement remains.

It is believed in the south, that if the protective system should be abolished, they would be enabled to add from thirty to forty per cent. to their sales of cotton—that in that case, Great Britain would purchase of them a world of cotton, that she does not want—and I have heard gentlemen from the south, of excellent understanding and apparently in their sober senses, declare it as their decided opinion, that if a separation of the states should take place, the property of the southern states—houses, lands and slaves would immediately raise fifty per cent. in value. That this delusion prevails extensively in the south, I have no doubt—and if so, it is not strange that a love of the union should yield to the prospect of such immense gain. Indeed it seems necessary that some such powerful cause should exist, to account for the agitation of the whole southern section of our country, (the state of Louisiana always excepted). The revenue from imports may easily be reduced to thirteen millions of dollars a year, without a further reduction of the duties on protected articles. This would be one dollar per head for the people of the United States, paid for the important benefits resulting from the union. Such a tax for such an object, cannot be considered so oppressive as to drive people to madness. Indeed, the people of the south are willing to pay their share of this tax, but demand that the duties shall be laid upon all articles of import by a general average; and they are about to dissolve the union, not because they are called upon to pay this amount of tax, but for the difference it makes to them, whether they pay the duties upon tea and coffee or upon sugar and molasses; upon quicksilver and opium, or upon cotton and woollens. The exeitement of the south cannot be owing to a cause so totally inadequate.

I have no doubt, that there is a fixed determination of a large majority of the people of the United States, to protect the industry of the country against foreign regulations, and against the labor of the paupers of England, supported in part by the parishes in the manufacturing districts, working for less than the value of their necessary food and clothing, and thus enabling the British manufacturer to export his goods, at less than cost. This majority are willing to make every concession to the southern states, which they can do, without ruin to the establishments that have grown under the protective policy, here-

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tofore advocated by many of the ablest statesmen in the south. But if the concession made in the late tariff bill, be considered as nothing, I see but little prospect of satisfying those who are in favor of nullification, or even those who are in favor of a souther convention.

Anxious as I am to see the extinguishment of the national debt, I have long considered it as a most dangerous crisis in our affairs. I did not apprehend, however, that it would impair the protective system of our country; but I feared it would lead to increase the number of those who live upon the public treasury; that it would lead to the creation of new and useless offices—that it would lead to the increase of salaries, and to a wild, ruinous, partial and unjust system of internal improvements, by roads and canals, under the legislation of congress, and under the officers of the general government, giving to them a dangerous power, with which it was not the intention of the federal convention to invest them.

Not that I am an enemy to internal improvements by roads and canals: on the contrary, I am decidedly in favor of such improvements, if they can be conducted with moderation, and upon a system of equal justice to all the states, without adding to the powers of the general government, and without absorbing the time of congress in an endless labyrinth of legislation.

The power of congress to make roads and canals through states, without or with their consent, I deny—but I have never denied their power to authorise subscriptions in the stock of road or canal companies, established in the states. For such subscriptions I have voted.

You think it strange that I should advocate the power of congress to authorise the states to make roads and canals, a power which they could not exercise themselves. I proposed to divide the surplus revenue, not wanted for the purposes of the general government, as being in fact the property of the states, from which it was taken—the states to do as they please with it—the states, having the money, would want no power from congress to make roads and canals with it. I have no doubt of the power of congress thus to dispose of the surplus funds; and I am surprised that any one can doubt it, who thinks it right to vote for a subscription on the part of the United States, in any road or canal company.

In your second letter you say, that I have been represented, as having made a speech or report in support of the tariff, on the principles of equalising the advantages which the southern states enjoy over the eastern and northern states, in soil, climate and productions.

In a speech upon the tariff of 1824, I exhibited a calculation to show how much the grain growing states suffered from the circumstance, that they consumed two-thirds of the imports into the country, while the produce of the south, in which but one-third of such imports was consumed, paid for two-thirds—that in fact the produce of the south paid for all the imports consumed in the southern states, and half of all consumed in the other states. This statement I quoted in a speech on the late tariff bill, for the purpose of shewing that in 1824, I assumed the same facts to prove that the grain growing states were suffering from the circumstance, that the southern states were exporting so much, and they so little, in exchange for our imports, that the author of the famous South Carolina *exposition* in 1828, took to prove how much the southern states were suffering from the same condition. To this it was replied, that my argument went to prove that the advantages which the southern states enjoyed over the northern and eastern, in climate, soil and productions, should be equalized. But I said no such thing—nor any thing to justify such an inference, beyond what you will find in pages 22, 23 and 24, of my speech, which I send you. In page 23, I give a sufficient explanation of my meaning—a very different one from that assigned to me.

The situation of those in the southern states, who are opposed to the tariff, and at the same time opposed to the violence of the nullifiers, must be extremely unpleasant. This I take to be your situation. If you encourage rash measures, you endanger the peace of the country;—if you oppose them, you become unpopular, and labor under the imputation of being more friendly to the north, than to the south. My own situation has been rendered unpleasant by a somewhat similar cause. When the interests of the south, particularly of Georgia, were assailed in congress, and throughout the eastern and middle states, so far as my votes would go, I sustained those interests, and, by so doing, forfeited the good opinion of many of my best friends, who were in favor of strong measures, which, if adopted, must have led to civil war. I believed Georgia in the right in principle, but censurable, for some of the means adopted to secure her rights. The course I adopted, was, in my opinion, best calculated to preserve the peace and harmony of the union—I am satisfied with the votes I gave, to sustain the interests of the south, although in opposition to the opinions of a great majority of the people of the eastern and middle states.

Your wish to preserve the union cannot be more sincere than mine—and I trust it will be preserved.

No man has more the power, or more the disposition, to sustain the union, than our present chief magistrate. On his prudence and energy, to conduct us through our present difficulties, I place great reliance. He occupies a position that enables him to see the whole ground; and to perceive, that the danger of dissolution is not altogether on one side of the question.

Whatever may be the issue of the present controversy, I cannot believe, that, in the course you may pursue, you will be governed by any but just and patriotic motives.

I do not attempt an argument in favor of the tariff; all that can well be said upon the subject, is already before the public. The sentiments I have expressed to you, are to be disposed of at your pleasure: upon this great question I have no views to conceal.

With sentiments of the most sincere regard and esteem, I am your friend and humble servant, MAHLON DICKERSON.

The hon. *Wm. H. Crawford.*

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*Mr. Crawford's reply to Mr. Dickerson.*

*Wood Lawn, 4th Feb.* 1833.

My dear sir: Your esteemed favor of the 4th October, 1832, was received by due course of mail, and would have been answered sooner, but I have been unable, until a few days past, to obtain the journals of the federal convention, Yates' secret debates of that convention, and Luther Martin's report to the legislature of Maryland, of the part he had acted in that convention. The perusal of these books was thought to be indispensable to a full and satisfactory examination of the various and important topics presented in your letter. When the federal government was first organised, the statesmen of the United States were divided in opinion touching the constitution. The federal party believed the powers granted in the constitution, were not sufficient to enable the federal government to fulfil the objects for which it had been created. They, therefore, endeavored to infuse into it by legislation, that vigor which they believed necessary to enable it to answer the end for which it had been devised. To succeed in this, they resorted to a latitudinary construction of the constitution; but they fell far short of the republican party when they came into power. This party, while the federalists were in power, had contended for a strict construction of the constitution, and opposed with talent and eclat, the efforts of the federal party to make the federal government, in practice, a consolidated government. It was principally owing to this opposition, and to the extremes to which the federal party carried their construction of the constitution, that the republican party obtained a triumph over the federal party in 1801, and obtained possession of the federal government, and have retained it, at least nominally, ever since. At the conclusion of the war in 1815, the debt of the union exceeded $129,000,000; and required that a large revenue should be collected to discharge the interest of the debt, and provide for the gradual extinguishment of the principal. For that purpose, the tariff act of 1816 was enacted; and although it was strictly a revenue act, and was voted for by a large majority of the members of congress as a revenue measure, and was strictly justifiable as a revenue tariff, yet one member from the south supported it as a measure for the protection of manufactures, and openly contended that congress not only was vested by the constitution with power to protect manufactures, but was under the most solemn obligations to exercise that power at that time. Yet, strange to tell, that very member is now at the head of the nullifying party in South Carolina, and that party has nullified the tariff acts of 1828 and 1832, because they were intended to protect manufactures.

Shortly after the war, which terminated in eighteen hundred and fifteen, there was an effort made to amalgamate parties in the union. Many men of doubtful political principles assumed the political garb of republicanism, and were admitted into the republican ranks. These men uniformly voted for extending the federal rule as much as possible, and aided by men who had always been known in the republican ranks, but who had always shewn a marked predilection for a splendid national government, among whom the gentleman before alluded to shone conspicuous. In addition to the protective tariff, a splendid plan of internal improvements was devised and supported, not only by the gentleman previously referred to, but by a gentleman from the west, who had the address to appropriate to himself the credit of the system. Under the guidance of these two distinguished gentlemen, the doctrine of latitudinary construction has so deformed the constitution, that if its framers could arise from their tombs, they could not be made to believe that the present government existed under the constitution they had formed. Posterity will be placed in the same situation. When they shall read the constitution, (if indeed it is destined to descend to posterity), they will be unable to account for many acts of the government under that constitution, and will be ready to conclude that those acts have resulted from a very different constitution, which has been lost in the lapse of ages. The strict principles of construction contended for by the republican party, from the year 1789 to the year 1801, when Mr. Jefferson was elected president, where are they at this day? Do the republican party occupy the same ground this day that they did in 1801? No. They have abandoned that ground, and have adopted the most visionary and wild theories of construction that ever degraded the human understanding. I recollect to have heard a member from Pennsylvania, when I was a member of Mr. Monroe's cabinet, derive the power to make internal improvements from the power to regulate commerce.

As I consider your letter presents the grounds upon which a protective tariff rests, and as I am not convinced that those grounds are defensible, I feel it my duty, in the present crisis, to endeavor to prove by evidence, if not demonstrative, at least morally certain, that the framers of the constitution did not intend to invest congress with the power to protect manufactures, and did not believe that they had invested congress with that power. In page 139 of the journals of the federal convention,

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the following proposition was submitted to the consideration of the convention: "to establish public institutions, rewards and immunities, for the promotion of agriculture, commerce, trades and manufactures." Here the question was distinctly brought under the consideration of the convention. The proposition, nor any thing similar to it, was sanctioned by the convention, as is proven by the journals and by the constitution. I presume you will admit that generally, where a grant of power has been proposed to the convention and has not been granted in the constitution, it is evidence that the convention did not mean to grant it. Now, unless the refusal to grant this power can be shown to be an exception to the general rule I have laid down, the power to protect manufactures must be abandoned by congress. The onus probandi in this case lies upon the party relying upon the exception. But if I am not greatly mistaken, I shall be able to shew, before this letter is concluded, that the case under consideration is not an exception to the general rule. In your letter to me, you state that you have not attempted to prove the constitutionality of the protective tariff, because you are satisfied with Mr. Madison's opinion on that subject. You, at the same time, inclose me a speech of yours, in which the constitutionality of that measure is defended. Mr. Madison's opinion and yours, are entitled with me, at least, to as much deference and respect, as the opinions of any two men in the world. But upon a question like this, I cannot resign my judgment to any authority except reason. Now, as I am not satisfied with the reason assigned by Mr. Madison, I must be excused for differing with such a great and good man. Mr. Madison's opinion is partly the result of reason, and partly of memory. I shall here state my objection to the reasoning part of it, and then the evidence to show that his memory has deceived him. I have not his letter to Joseph H. Cabell, esq. before me; but if my recollection be correct, he treats the idea that the power to lay duties upon imports by a state with the consent of congress, was intended to enable the states to protect the manufactures, with something like derision. He says the imposition of such duties would destroy its commerce, which no state can be presumed to desire. Now it so happens that the manufacturing states are precisely in the situation to desire to sacrifice their commerce to their manufactures, provided the commerce of their co states is sacrificed at the same time. It may be well conceived, that when for revenue, congress shall have levied duties nearly to the point of prohibition, a state having a large amount of capital invested in manufactures, equal at least, to the supply of its own consumption, may be disposed to levy duties so as to prohibit the importation of those articles that it can supply. Such a measure will exempt it from contributing any thing to the treasury of the United States, and will only subject it to the payment of the duties which it shall have imposed, which it will pay to the manufacturers according to my theory, but according to the manufacturing theory, which you seem to have adopted, will subject them to no higher price, but absolutely procure those articles at a cheaper rate than they obtained them before the imposition of the prohibitory duties. I think Mr. Madison clearly wrong in his reason. Let us now see if he is more fortunate in his memory.

Luther Martin, in his report to the legislature of Maryland, page 41, 4th volume, Elliot's edition, says: "By this section (10th of 1st art.) every state is also prohibited from laying any imposts or duties upon imports or exports without the permission of the general government. It was urged that, as almost all sources of taxation were given to congress, it would be but reasonable to leave the states the power of bringing revenue into their treasuries by laying a duty upon exports, if they should think proper, which might be so light as not to injure or discourage industry, and yet might be productive of considerable revenue. Also, that there might be cases in which it would be proper, for the purpose of encouraging manufacturers, to lay duties to prohibit the exportation of raw materials, *and even in addition to the duties laid by congress on imports for the sake of revenue, to lay a duty to discourage the importation of particular articles into a state, or to enable the manufacturer here to supply us on as good terms as they could be obtained from a foreign market. However, the most we could obtain was, that this power might be exercised by the states, with, and only with, the consent of congress, and subject to its control; and so anxious were they to seize on every shilling of our money for the general government, that they insisted even, the little revenue that might thus arise, should not be appropriated to the use of the respective states where it was collected, but should be paid into the treasury of the United States; and accordingly so it is determined."*

This report is dated January 27th, 1788, only a few months after the adjournment of the convention. Mr. Martin was an active and intelligent member of the convention; remarkable for his comprehensive and tenacious memory; was dissatisfied with the constitution formed by that convention, and particularly because he could not obtain a more efficient protection of manufactures, as appears by the foregoing report to the Maryland legislature. The clause of the constitution giving to congress the power to regulate commerce, is in a section of the constitution preceding that which Mr. Martin says was inserted to enable the states to protect their manufactures and had been adopted previously. If the convention had believed that the power to regulate commerce carried with it the power to protect manufactures, Mr. Martin would have been told that the power had been conferred upon congress, and there was no need of vesting the power in the states. But the provision was inserted, which proves, I think, satisfactorily, that the convention did not believe that the power to regulate commerce did invest congress with the right or the power to protect manufactures. If this report of Mr. Martin proves that the convention did not believe that they had vested that right in congress, by the grant of the power to regulate commerce, the extract from the journals of the convention, previously cited, proves as conclusively that the convention did not intend to vest any authority in congress to protect manufactures. It appears to me, that the extract from the journals, and that from Mr. Martin's report, cover the whole ground, and that there is no room for doubt, or hesitation upon the subject. It is true that the evidence is principally *dehors* the constitution. The journal of the federal convention is but one degree removed from the constitution itself, and in all cases of doubt is the best evidence that can be offered to remove that doubt. The evidence of the journal then, in the present case, is the highest evidence of which the case admits, and that evidence is conclusive against the right of congress to protect manufactures. The testimony of Mr. Martin is supported in some degree by the constitution itself. The provision which he declares was inserted to enable the states to protect manufactures, is in that instrument, as he represents it, and was not in any original proposition presented to congress; and no attempt has been made to account for its insertion for a different purpose than that ascribed to it by Mr. Martin, which has within my knowledge been made public. Mr. Madison, in rejecting Mr. Martin's account of it, has not attempted to assign any other office to the provision. Considering that Mr. Martin's report was made shortly after the adjournment of the federal convention; that in the report he accounted for his conduct, to his constituent, the legislature; and that he states a transaction in which he appears to have taken a deep interest, there can, I think, be no room for doubt in receiving his account of the transaction in preference to Mr. Madison's, which is made known more than forty years after the adjournment of the federal convention. A careful consideration of the federal constitution will lead to the same conclusion as the evidence which I have just submitted and examined. Upon a deliberate examination of that instrument, I think it is apparent that its powers were given principally for exterior objects, and those which are necessary for the proper management of those objects. That there do not appear to me more than two grants of power in the constitution which authorises congress to interfere with the great mass of individuals, and their interests or concerns. The revenue, or rather that part of it which authorises congress to lay taxes and excises, and the power given over the militia; both these powers are necessary to the management of the exterior relations of the United States. The state legislatures, in the scheme of the federal government, were considered as exclusively charged with the domestic relations and interests of individuals, except in the two cases before mentioned. When the convention first met, very different views appear to have been entertained of the powers which ought to be vested in it. As the federal government has been administered, it would have been much better to have adopted Mr. Hamilton's plan of the legislative powers of congress, which was to *pass all laws that they should deem necessary.* If that plan had been adopted, I verily believe but one law would have passed which has not been enacted. Under Mr. Hamilton's plan, it is possible, nay, probable, considering the fanaticism which has been displayed in some states, that a law would have passed for the emancipation of slaves. In the enactments of congress they have devised the means of passing all laws, which, in their fantasy, they deemed necessary.

I admit that if the United States were governed by a consolidated government, the power to regulate commerce would, in the absence of the journals of the convention and Mr. Martin's report, have authorised the protection of manufactures. If the state government and state lines were obliterated, the protection of manufactures might be effected under the power to regulate commerce, because it has been done by most of the civilized states in the world. But the tariff is clearly a measure of consolidation, and so are measures of internal improvement which have been carried on by congress without the shadow of authority. It is this reckless legislation of congress that has produced the present alarming crisis in the affairs of the union, and the present is but a commencement of difficulties of that kind, unless a speedy return to the true principles of the constitution be effected. The difficulty of warding off the blows aimed by South Carolina ought to admonish the federal government of the necessity of moderation and rigid adherence to the powers granted, and such as are necessarily incident to them, and without which they cannot be carried into effect. The publication of the journal of the federal convention, and other documents connected with it, has thrown much light upon the powers of the federal government. I verily believe, if they had been published before the organization of the federal government, neither the bank of the United States, the assumption of the state debts or a protective tariff, would have ever been found in the federal statute book.

When I made up my opinion upon the bank question in 1811, that opinion was founded exclusively upon the constitution. The publication of the journals, which I have now perused for the first time, has changed that opinion. You formed your opinion upon the protective system in the same way, before the publication of the journal, and probably without having seen Luther Martin's report.

Review, I beseech you, the whole ground; lay aside during the review all pre-conceived opinions upon the subject, and I

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entertain a hope that we shall agree in the conclusion. You say the revenue may be reduced to the necessary expenses of the government, by reducing or entirely abolishing the duties upon unprotected articles; that this course will relieve the nation from a large portion of its burdens, and ought to be acceptable to the states. This is a mistake. Such a reduction will only increase the inequality which already exists. But the tariff states are wholly mistaken; they think the murmurs of the south are principally produced by the revenue collected for the use of the government. No; the people of the south have never complained of paying what was necessary to support the government; *but they complain, and will complain as long as congress, by its legislation, shall enable the manufacturers to levy contributions upon them equal to those they pay to the government; and rest assured, if these exertions are continued much longer, the union will be dissolved.* But you say if the protective system be abolished, the union will be more certainly dissolved, than by its continuance. This is possible. I can offer no opinion upon it; but if it be so, look at the difference in the situation of the southern and tariff states. The former say, hands off, "Laissez nous faire." The latter say, if we are not authorised to fleece the southern states *ad libitum*, we will dissolve the union; or, as Hezekiah Niles says, "we will present a million of muskets in defence of our legal rights, secured to us by the tariff." You disbelieve that the tariff does operate oppressively. You say no complaint arises against it any where but at the south, for the simple reason that there is no oppression. I can verily imagine many reasons why there is no excitement against the tariff in the tariff states. Most of the men of wealth and influence in those states have capital invested in manufactures. Wherever there is a manufacturing establishment, a market is furnished to a certain distance around it, for every article that can be raised on a farm. All those who furnish the market are compensated, and more than compensated for the burdens of the tariff. I am not sufficiently acquainted with the location or extent of the manufacturing establishments in those states, to determine upon the relative proportion of the population thus benefitted by those establishments. Besides these two classes, all those who are employed in those establishments, and their families, are reconciled to the tariff. But, independent of these classes, there can be little doubt that the popular name with which the tariff has been dubbed, has had a tendency to render it popular. In Kentucky, there can be no other cause for its popularity, aided by Mr. Clay's address and influence. It may be safely laid down as a general rule, that manufactures cannot be beneficially introduced into any country, except where there is labor and capital which cannot find employ without their introduction. In Kentucky there is neither a superabundance of capital or labor. Manufactures can only exist there as a hot-house plant, and must be supported at an expense greatly beyond the value of the article produced. The tariff system has been introduced in disregard and defiance of the principles of southern political economy.

You say that manufactures to the amount of ten or fifteen millions of dollars, purchased by the produce of the southern states, are annually consumed by the northern and middle states, and then triumphantly ask if that is not a benefit derived from the union; and add, that those states are desirous of furnishing these articles themselves, but that southern states object, and insist upon their consuming that amount of British manufactures, for the benefit of British manufacturers. In reply to these serious allegations, I will say, in the first place, the south never has objected, and does not now object to the tariff states furnishing themselves with all the articles necessary for their convenience and comfort. They have never insisted that the tariff states should consume 12 or 15 millions annually of British manufactures, or any other amount. I will say, further, it is the first time in the world that a party, who has been obliged, at his own request, with an advance of 12 or 15 millions annually, should conceive that he had laid the party making the advances under any obligations, or that the party receiving was aggrieved by receiving voluntarily such advances. The true state of the question is this: the tariff states not only insist upon furnishing themselves with these articles, but also the southern states, and that the southern states should pay them, not only to enable them to supply themselves, but the southern states also. The southern states have never requested any thing to be done for them at the expense of a sister state; whereas the tariff states ask that the whole people of the United States should be enormously taxed for their especial benefit. But you deny that the tariff has operated to raise the price of manufactured articles; on the contrary, you allege the tariff has reduced the price of the protected articles. In other words, you have adopted the theory and opinions of the manufacturers. Actions speak louder than words; and when words and actions are contradictory, actions are to be believed in preference to words. During the last session of congress, Mr. Appleton, of Boston I believe, alleged that cottons under 16 cents the yard were not protected by the tariff of 1828, and needed no protection. The provision of the bill under consideration directed that all plain cottons costing less than 30 cents should be estimated, in calculating the duties, as having cost 30 cents. A motion was made to strike out all cottons costing less than 16 cents. This motion was resisted successfully by the friends of the tariff. I am informed that cottons are made in England as low as 6 cents.

A duty of 25 per cent. levied on such cottons, estimated as having cost 30 cents, would amount to one hundred and twenty-five per cent. *ad valorem*. This single fact proves conclusively that no reliance can be placed upon the representations of the manufacturers, and ought to discredit their evidence with all impartial men of common sense. For what would they desire to keep up an enormous duty upon an article that needed no protection? Was it merely to insult the people, or to shew them the absolute power that they wielded over them? If this was their object, they have certainly succeeded in it, and if protection, in order to vend their goods at an enormous profit, was their object, they have equally succeeded. I hope, after considering this fact the advocates of the protective system will cease to tell us, that the tariff reduces the price of manufactured articles. If this be true, the tariff is injurious to them and beneficial to us. We do not think so. We wish it repealed, and they ought so to wish it. Why, therefore, is it not repealed? Simply because it enables the manufactures to levy contribution upon the people. All their declarations of this kind are hypocritical and false.

I reject nullification. I equally reject Mr. McDuffie's doctrine, that the producer pays all the duty. I admit that this doctrine has aggravated the discontents of the south. I admit, also, that the oppressions of the tariff upon the south are exaggerated, and yet, I assert, that the south is oppressed beyond the eastern and middle states—that the tariff is unequal, unjust, and, as I hope I have proved to your satisfaction, unconstitutional, or at least an abuse of the constitution. It operates more oppressively on the southern than upon the people of the tariff states. 1st. Because there are no manufacturing establishments in those states, consequently no local market created. 2d. Because none of the laboring class are employed by means of the tariff. 3d. Because capitalists have invested no capital in them. And 4th, we are at a greater distance from the workshops which supply us with the necessary articles. The freight, insurance, commissions, and other necessary expenses, enhance the price of those articles to the consumer in the southern states, in a higher degree, than in the tariff states. In these four particulars, the tariff is more oppressive to the citizens of the southern states than of the tariff states. Even in Pennsylvania, I was informed by an intelligent gentleman of that state, the people are beginning to open their eyes to the oppressions of the tariff. He informed me that the member of congress elect from the district, was elected under a written pledge to reduce the tariff. There can be no doubt that the tariff is injurious to the interests of the great body of citizens in every part of the United States. It is a measure for the benefit of the few at the expense of the many. It is worse still: it is for the benefit of the few rich men at the expense of the great body of the people. It is calculated to make the rich richer, and the poor poorer. Inequalities in wealth, in civilized communities, will necessarily arise. So far as the inequality is inherent in the nature of man, it must be submitted to; but any system of legislation which has a tendency to create or hasten that inequality, deserves the execration of the human race. Such is the tariff system. But this is not all the objection to it. If it were constitutional and exempt from the tendency to produce inequality between the citizens of the republic, it would still be injurious to the United States. The manufacturing state of society will arrive in all well regulated civil society. It is as natural for such a society eventually to become manufacturing, as a boy in due time to become a man. When the period arrives, it ought to be submitted to as all other dispensations of Providence, and then they are introduced without any other effort or sacrifice, and are productive of no other inconvenience than what results from sedentary instead of active laborious employment; and even this should not be considered an evil, for, on my supposition, it only employs those who, without the introduction of manufactures, would be idle, and any employment not absolutely mischievous, is little better than idleness. If this theory be correct, and it is believed to be so, is it not mischievous to hasten this state of things by legislation, to the great injury of the existing state of society? Conceding the constitutional power to pass such laws, is it not apparent, that the order of nature's laws is deranged by such legislation? That a state of society is prematurely forced upon the nation, to the injury of its national force, and to the destruction of the capital that would otherwise have been more profitably employed?

But you justify the tariff on the ground of retaliation upon England, because she refuses to receive the bread stuffs of the grain-growing states. Let us examine this proposition. Great Britain, in order to encourage agriculture, and to produce, if possible, bread stuffs enough to support the people, prohibits the introduction of bread stuffs generally, except when her crops fall short of supply. This prohibition extends to us in common with other nations. Every nation has a right to manage its own internal affairs in its own way, and other nations have no right to complain or interfere. But as Great Britain does not receive the grain of other nations, we have no right to say to Great Britain—take our grain, or you shall not have our cotton and rice, especially when she is almost our only customer, and certainly our best in those articles. The grain growing states have no right to jeopard those great interests, with a view to force Great Britain to abandon a policy which she had a perfect right to adopt, if she thought proper. Commerce between nations has been properly defined to be an exchange of those articles of which one nation has a redundancy, and the other a deficiency. When two nations have only redundancies or deficiencies of the same article, there can be no beneficial commerce between them in their indigenous products. In the pre-

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sent case, if the grain-growing states make a redundancy of grain, and Great Britain feels no deficiency of grain, there can be no beneficial commerce between them in grain. But there is no cause of complaint, no cause of retaliation, least of all a retaliation in which a mutually profitable commerce is carried on to a very great amount. The tariff cannot be justly supported as a measure of retaliation.

I think I have shown—first, that the protection of manufactures was not confided by the constitution to congress: second, that it has been confided to the states: third, that the tariff is unjust and oppressive to the great body of the people of the United States: fourth, that it is still more oppressive to the people of the southern states: fifth, that it tends directly to produce inequality of wealth in the republic, which is unfriendly to a republican government; and that it cannot be supported as a measure of retaliation. If all, or even one of these points are made out to your satisfaction, I hope you will concur with me in the result at which I have arrived. In discussing various questions presented by your very interesting letter, I have endeavored to avoid every thing calculated to irritate or offend your feelings, or the feelings of any person with whom I differ upon this all absorbing question. Before I conclude, I think it necessary to state, that by the term manufactures in the preceding pages, no allusion is made to the household manufactures. To them I am decidedly friendly. It is owing to those manufactures that we have been enabled to withstand so long the injurious effects of the tariff.

I had intended at one time to say something about nullification; but I will say only, be temperate, and resort to force only to repel force. It is in times of high excitement that the most violent stabs are given to liberty. God bless you, and direct your counsels at this alarming crisis. Contrary to my predictions of last spring, you are permitted once more to deliberate within the walls of the capitol, on the tariff. The question now presented to the manufacturers is, will you be content with the incidental protection afforded by the collection of duties for revenue, or will you dissolve the union? If the union is dissolved, the tariff will be worthless. It is true, your respective states can afford you protection within your states, except against smuggling. They can afford the same protection under the union. Why will you, therefore, insist upon dissolving the union, since its dissolution cannot benefit you? In this controversy the southern states have acted on the defensive. You have been, and now are, the aggressors. Will you cease to oppress? If you say no, I cannot say God speed! but I will say, on your heads fall all the evil which the dissolution of the union will inevitably cause.

I am, my dear sir, your friend and most obedient servant,

WM. H. CRAWFORD.

The hon. *Mahlon Dickerson, Washington city.*

## INTERESTING JUDICIAL DOCUMENT.

We are indebted to a friend who takes pleasure in re-developing the intellectual treasures of by-gone generations, for a copy of the "*Charge of chief justice Jay, to the grand inquest of the county of Ulster, N. Y. on the 9th day of September*, 1777."

This charge was delivered upon the opening of the first term of the supreme court, held under our present constitution. Kingston was then the seat of government; and the legislature was at that time assembling to put in motion the blessed system of government under which we have so long lived, happy and prosperous.

This charge will be admired as much for its beauty of style and purity of sentiment, as for its ardent and elevated piety and patriotism—

### JUDGE JAY'S CHARGE TO THE GRAND JURY, &c.

*Gentlemen*—It affords me very sensible pleasure to congratulate you on the dawn of that free, mild and equal government, which now begins to rise and break from amidst those clouds of anarchy, confusion and licentiousness, which the arbitrary and violent domination of the king of Great Britain had spread, in greater or lesser degrees, throughout this and the other American states. And it gives me particular satisfaction to remark, that the first fruits of our excellent constitution appear in a part of this state, whose inhabitants have distinguished themselves by having unanimously endeavored to deserve them.

This is one of those signal instances in which divine Providence has made the tyranny of princes instrumental in breaking the chains of their subjects; and rendered the most inhuman designs, productive of the best consequences to those against whom they were intended.

The infatuated sovereign of Britain, forgetful that kings were the servants, not the proprietors, and ought to be the fathers, not the incendiaries, of their people; hath, by destroying our former constitutions, enabled us to erect more eligible systems of government on their ruins; and, by unwarrantable attempts, *to bind us in all cases whatever*, has reduced us to the happy necessity of being *free from his control in any.*

Whoever compares our present with our former constitution, will find abundant reason to rejoice in the exchange, and readily admit, that all the calamities incident to this war, will be amply compensated by the many blessings flowing from this glorious revolution. A revolution which, in the whole course of its rise and progress, is distinguished by so many marks of the Divine favor and interposition, that no doubt can remain of its being finally accomplished.

It was begun and has been supported, in a manner so singular, and I may say, miraculous, that when future ages shall read its history, they will be tempted to consider a great part of it as fabulous. What, among other things, can appear more unworthy of credit, than that in an enlightened age, in a civilized and Christian country, in a nation so celebrated for humanity, as well as love of liberty and justice, as the *English* once justly were, a prince should arise, who, by the influence of corruption alone, should be able to seduce them into a combination, to reduce three millions of his most loyal and affectionate subjects, to absolute slavery, under pretence of a right, appertaining to God alone, of binding them in all cases whatever, not even excepting cases of conscience and religion?

What can appear more improbable, although true, than that this prince and this people, should obstinately steel their hearts, and shut their ears, against the most humble petitions and affectionate remonstrances; and unjustly determine, by violence and force, to execute designs which were reprobated by every principle of humanity, equity, gratitude and policy—designs which would have been execrable, if intended against savages and enemies, and yet formed against men, descended from the same common ancestors with themselves; men, who had liberally contributed to their support, and cheerfully fought their battles, even in remote and baleful climates? Will it not appear extraordinary, that thirteen colonies, the object of their wicked designs, divided by variety of governments and manners, should immediately become one people, and though without funds, without magazines, without disciplined troops, in the face of their enemies, unanimously determine to be free; and, undaunted by the power of Britain, refer their cause to the justice of the Almighty, and resolve to repel force by force, thereby presenting to the world an illustrious example of magnanimity and virtue *scarcely to be paralleled? Will it not be matter* of doubt and wonder, that, notwithstanding these difficulties, they should raise armies, establish funds, carry on commerce, grow rich by the spoils of their enemies, and bid defiance to the armies of Britain, the mercenaries of Germany, and the savages of the wilderness? But however incredible these things may in future appear, we know them to be true, and we should always remember, that the many remarkable and unexpected means and events, by which our wants have been supplied, and our enemies repelled or restrained, are such strong and striking proofs of the interposition of heaven, that our having been hitherto delivered from the threatened bondage of Britain, ought, like the emancipation of the Jews from Egyptian servitude, to be forever ascribed to its *true cause*, and instead of swelling our breasts with arrogant ideas of our prowess and importance, kindle in them a flame of gratitude and piety, which may consume all remains of vice and irreligion.

Blessed be God! the time will now never arrive, when the prince of a country, in another quarter of the globe, will command your obedience and hold you in vassalage. His consent has ceased to be necessary to enable you to enact laws essential to your welfare; nor will you, in future, be subject to the imperious sway of rulers, instructed to sacrifice your happiness, whenever it might be inconsistent with the ambitious views of their royal master.

The Americans are the first people whom heaven has favored with an opportunity of deliberating upon, and choosing the forms of government under which they should live; all other constitutions have derived their existence from violence or accidental circumstances, and are therefore probably more distant from their perfection, which though beyond our reach, may nevertheless be approached under the guidance of reason and experience.

How far the people of this state have improved the opportunity, we are at no loss to determine. Their constitution has given general satisfaction at home, and been not only approved, but applauded abroad. It would be a pleasing task to take a minute view of it, to investigate its principles, and remark the connection and use of its several parts—but that would be a work of too great length to be proper on this occasion. I must therefore confine myself to general observations; and among those which naturally arise from a consideration of this subject, none are more obvious, than that the highest respect has been paid to those great and equal rights of human nature, which should forever remain inviolate in every society; and that such care has been taken in the disposition of the legislative, executive and judicial powers of government, as to promise permanence to the constitution, and give energy and impartiality to the distribution of justice. So that while you possess wisdom to discern and virtue to appoint men of worth and abilities to fill the offices of the state, you will be happy at home and respectable abroad. Your lives, your liberties, your property, will be at the disposal only of your Creator or yourselves. You will know no power but such as you will create; no authority unless derived from your grant; no laws, but such as acquire all their obligation from your consent.

Adequate security is also given to the rights of conscience and private judgment. They are, by nature, subject to no control but that of the Deity and in that free situation they are now left. Every man is permitted to consider, to adore and to worship his Creator in the manner most agreeable to his conscience. No opinions are dictated; no rules of faith prescribed; no preference given to one sect to the prejudice of others. The constitution, however, has wisely declared, that the "liberty of conscience, thereby granted, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state." In a word, the convention, by whom that constitution was formed, were of opinion, that the

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gospel of Christ, like the ark of God, would not fall, though unsupported, by the arm of flesh; and happy would it be for mankind, if that opinion prevailed more generally.

But let it be remembered, that whatever marks of wisdom, experience and patriotism there may be in your constitution, yet, like the beautiful symmetry, the just proportions and elegant forms of our first parents, before their maker breathed into them the breath of life, it is yet to be animated, and till then, may indeed excite admiration, but will be of no use; from the people it must receive its spirit, and by them be quickened. Let virtue, honor, the love of liberty and of science be, and remain, the soul of this constitution, and it will become the source of great and extensive happiness to this and future generations. Vice, ignorance, and want of vigilance, will be the only enemies able to destroy it. Against these, be forever jealous. Every member of the state, ought diligently to read and study the constitution of his country, and teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated, and be the better prepared to defend and assert them.

This, gentlemen, is the first court held under the authority of our constitution, and I hope its proceedings will be such, as to merit the approbation of the friends, and avoid giving cause of censure to the enemies of the present establishment.

It is proper to observe, that no person in this state, however exalted or low his rank, however dignified or humble his station, but has a right to the protection of, and is amenable to, the laws of the land; and that if those laws be wisely made and duly executed, innocence will be defended, oppression punished and vice restrained. Hence it becomes the common duty, and indeed the common interest, of every subject of the state, and particularly of those concerned in the distribution of justice, to unite in repressing the licentious, in supporting the laws, and thereby diffusing the blessings of peace, security, order and good government, through all degrees and ranks of men among us.

I presume it will be unnecessary to remind you, that neither fear, favor, resentment, or other personal or partial considerations, should influence your conduct. Calm deliberate reason, candor, moderation, a dispassionate, and yet a determined resolution to do your duty, will, I am persuaded, be the principles by which you will be directed.

You will be pleased to observe, that all offences committed in this county against the peace of the people of this state, from treason to trespass, are proper objects of your attention and inquiry.

You will pay particular attention to the practice of counterfeiting the bills of credit, emitted by the general congress, or other of the American states, and of knowingly passing such counterfeits—practices no less criminal in themselves, than injurious to the interest of that great cause, on the success of which the happiness of America so essentially depends.

## FRIGATE CONSTITUTION;

COMMONLY CALLED OLD IRONSIDES.

*From the Boston Commercial Gazette.*

As in the course of a few days the above noble ship will be hauled into the new and splendid dry dock, which has recently been completed at the navy yard, in the presence probably of the president of the United States, and many other distinguished officers of the government, as well as of an immense concourse of our fellow citizens, and as every circumstance relative to this favorite ship will now be rendered doubly interesting, we propose to offer a brief history of her splendid and glorious career, part of which is from memory, having been present when she was launched, part from official documents, and part we have gleaned from the old newspapers of the day. She was built at Hart's ship yard, at the north end, situated between the Winnisimmit ferry ways and the marine rail way, and was launched under the superintendence of col. Claghorn, the builder, on Saturday, the 21st of October, 1797; consequently she is now nearly thirty-six years old. In Russell's Boston Commercial Gazette of the next Monday, we find the following notice:—

"The launch—*A magnificent spectacle!* On Saturday last, at fifteen minutes past M. the frigate CONSTITUTION was launched into the adjacent element, on which she now rides an elegant and superb specimen of American naval architecture, combining the unity of wisdom, strength and beauty. The tide being amply full, she descended into the bosom of the ocean with an ease and dignity, which, while it afforded the most exalted and heart felt pleasure and satisfaction to the many thousand spectators, was the guarantee of her safety, and the pledge, that no occurrence should mar the joyous sensations that every one experienced; and which burst forth in reiterated shouts, which "*rent the welkin.*" On a signal being given from on board, her ordnance, on shore, announced to the neighboring country, that the CONSTITUTION WAS SECURE. Too much praise cannot be given to col. Claghorn, for the coolness and regularity displayed in the whole business of the launch; and the universal congratulations he received, were evidences of the public testimony of his skill, intelligence and circumspection."

The severe labor that attended her birth, which was only effected at the third trial, was seized upon by the enemies of a navy, who at that time were numerous and powerful, as prophetic of ill-luck! With how little reason, her brilliant career has fully demonstrated. We may safely challenge the annals of naval history to name the ship that has done so much to fill the measure of her country's glory. She sailed on her first cruise, on Sunday, the 22d of July, 1798, and in the Commercial Gazette of the next morning, we find the following:

"Yesterday sailed on a cruise for the protection of our commerce, the frigate Constitution, commanded by captain Samuel Nicholson. This noble frigate reflects honor on all concerned in her construction—on the agent for obtaining every material of the best kind for her equipment, and for having the same manufactured in a superior manner; on the builder for the execution of the hull, in a style demonstrating our capability for building ships of war, at least equal to any in Europe. The captain is a brave and experienced commander, in whom may be reposed perfect confidence. Her lieutenants young men, who have commanded merchant ships with approbation, and of whom fair expectations may be entertained. Her crew are, with very few exceptions, native sons of Massachusetts, many of them connected by the strongest of human ties *wives* and *children*. Upwards of one hundred seamen have given orders in favor of their families, to draw monthly, half of their pay, the public having made arrangements for this purpose, evincive of its paternal care and encouragement of our marine. It would seem that nothing is wanting, to render this ship and her crew perfect, but that experience, which can only result from actual exercise at sea."

She returned from this cruise in the middle of November. This was during the brief war with the French republic. We notice the appointment of Isaac Hull, as her 4th lieutenant, who, after the lapse of fourteen years, was fortunate enough to occupy a higher station on her quarter deck, when the charm of British invincibility was destined to be forever broken. On the 28th December, of the same year, she again sailed from Boston harbor, on her second cruise, from which she returned a few months after, without having the good luck to fall in with any of the enemy's national ships. Less fortunate in this respect than the Constellation, under the gallant Truxton, who, about this time, succeeded in capturing the French frigate L'Insurgente, of 40 guns and 417 men. La Vengeance, a large French national ship 54 guns and 520 men, likewise struck her colors, but was fortunate enough to escape in a squall, and arrived at Curacoa five days after, a complete wreck.

Shortly after this, our commerce in the Mediterranean having suffered severely from the depredations and insults of the Barbary cruisers, our government determined at once on chastising them. In May, 1803, commodore Edward Preble was appointed to the command of this favorite ship, and in June he sailed with the squadron destined to act against Tripoli. To all conversant with this scene of war, it is well known the Constitution acted a conspicuous part, in fact bore the brunt of the battle. After the destruction of the Philadelphia, of 44 guns she was for a long time the only frigate on the station, and being ably seconded by the gallant Decatur and the smaller vessels, did more in a single year to humble the pride of the Barbary states than all Christendom ever did before or since.

In short, such a variety of service, hair breadth escapes, hard knocks, and perilous adventures has never been achieved by any single vessel. Peace having been concluded with Tripoli, she soon after returned home, where she remained unemployed, or nearly so, till the commencement of the late war with Great Britain. This was on the 18th of June, 1812. On the 12th of July she left the Chesapeake for New York, preparatory to a long cruise, and on the 17th discovered and was chased by a British squadron, consisting of the Africa 64; Shannon and Guerriere 38; Belvidera 36; and Eolus 32; under the command of commodore Broke, of the Shannon. During the most critical period of the chase, when the nearest frigate, the Belvidera, had already commenced firing, and the Guerriere was training her guns for the same purpose, the possibility of kedging the ship, although in nearly thirty fathoms of water, was suggested by lieutenant, now commodore Morris, and was eagerly adopted, with the most brilliant success. The enemy, who had before been gaining, was now almost imperceptibly fallen astern, without their being able to conceive of the mysterious manner in which it was effected. A lucky mile or three about had been gained in this way, before the discovery was made, and then it was altogether too late to avail themselves of it, with any probability of success; a propitious breeze springing up at this moment, of which the Constitution felt the first effects, soon increased the distance, and rendered any further exertions in warping and towing unnecessary.

The Shannon had for some hours all her sails completely furled—with 13 boats towing ahead. The Constitution had three boats towing—the remainder being engaged in carrying out kedges, while the crew on board found sufficient employment in warping up to them; and to this most fortunate expedient is her miraculous escape to be attributed. She bid a final adieu to her kind friends on the 19th, after a chase of nearly three days and three nights, and arrived safe in Boston on the 26th of July. This has always been considered, and undoubtedly was, one of the most brilliant exploits that occurred during the war. The deep feeling—the intense anxiety that reigned throughout the ship during this long and arduous chase, and which was pictured in the countenances of all on board, in characters too strong to be mistaken—may be imagined, but cannot be described. Let us suppose for a moment, it had been the destiny of this fine ship to have fallen thus early in the war, into the hands of the enemy—a misfortune as has already been shown which was only escaped as it were, by a miracle—what a vast difference it would have made at the close of the

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war, not to speak of the great moral influence of a first victory, in the profit and loss of our naval glory; and although the balance would still have been greatly upon our side, yet the sum total would have been very sensibly or nearly one half diminished. In the first place the loss of so fine a frigate at this early period would have been irreparable, and in following up the consequences—three of the most splendid victories of the war, together with the same number of hair breadth escapes from a superior enemy, would now have to be deducted from the aggregate of our glory, making a difference, both ways, of more than 200 guns and almost 1,500 men.

After remaining a few days in port she sailed again, and on the 19th of August—precisely one month after her escape—was lucky enough to fall in with one of the same frigates cruising alone and with her name emblazoned in large characters in her fore-topsail. Nothing daunted at this, however, the Constitution took the liberty of edging down for the purpose of ascertaining the object of such a close pursuit a few weeks before.

As soon as the two ships were within whispering distance, an explanation commenced which after a close conference of thirty minutes, ended to the complete satisfaction of capt. Hull. She proved to be H. B. M. frigate Guerriere, captain Dacres, of 49 guns and 302 men, and had been totally dismasted and in other respects was rendered such a complete wreck, that getting her into port was altogether out of the question. She was accordingly burned, and the Constitution returned again to Boston, where she arrived on the 30th August. Never shall we forget the enthusiasm with which she was received.

The news arrived in town during divine service on Sunday morning, and the crowds that flocked to State street to hear the particulars of such a glorious victory, and shouts that rent the air, fully evinced the deep interest that was felt by every class of the community.

The ship had anchored in President roads about 5 miles from town, and in the afternoon the harbor was alive with pleasure boats, anxious to take a closer view of Old Ironsides, and to exchange congratulations with her gallant crew. We among hundreds of others sailed round her several times, endeavoring in vain to trace the effects of an engagement with a British frigate of nearly equal force, that had occurred only eleven days before, and in which her antagonist was entirely demolished in the short space of half an hour. We could hardly believe our own eyes—no serious damage whatever was visible; now and then a place or two were pointed out where a splinter had been driven off, but on the whole she appeared in almost as perfect order as when she left the harbor only about three weeks before; indeed it seemed to us that like Shadrach, Mesheeh and Abednego, she had passed the fiery ordeal entirely unscathed. This was indeed a new state of things, and served not a little to increase the hope and confidence of the friends of our gallant navy throughout the union.

Captain Hull, being now called upon, if we remember right, to attend to the affairs of a deceased brother, gave up the command of the ship to captain William Bainbridge, who, with the same crew, shortly after sailed on another cruise to South America—the sloop of war Hornet, captain Lawrence, also under his command, from whom however he was soon after separated. On the 29th of December of the same year, while cruising about 10 leagues from the coast of Brazil, she fell in with, and after a close engagement of nearly two hours captured, H. B. M. ship Java, of 49 guns and upwards of 400 men; captain Lambert being mortally wounded during the engagement. In addition to her full crew, the Java had upwards of one hundred supernumeraries on board—officers and seamen—to join the British ships of-war on the East India station. Besides these there were a number of land officers; among the rest lieutenant general Hislop, major Walker and captain Wood.

This was one of the best contested battles that was fought during the war—the Java indeed only struck her flag, when every mast, bow-sprit and all had, one after another, gone by the board. "The great distance from our own coast, and the perfect wreck we made of the enemy's frigate, forbade every idea of attempting to take her to the United States. I had therefore no alternative left but burning her, which I did on the 31st of December, after receiving all the prisoners and their baggage, which was very hard work, only having one boat left out of eight, and not one left on board the Java." After blowing her up, the Constitution returned to Boston, where she arrived on the 18th of February, 1813.

Well do we remember being at the Federal street theatre, when the news of this victory was announced from the stage by the manager, Mr. Powell, and shortly after when the gallant commodore, together with some of his officers appeared in one of the boxes, the whole house resounded for many minutes with the cheering of the audience. The veteran Cooper, then in the prime of life, was in the second act of Macbeth, and although he stood a little behind the scenes, entirely forgetting the gracious Duncan he had murdered, we saw him swing his cap round with as much enthusiasm as any one.

In June, 1813, capt. Charles Stewart was appointed to her command: and on the 30th of December, she proceeded to sea, notwithstanding Boston was then blockaded by seven ships of war, and safely run the gauntlet through the whole of them. She returned on the 4th of April, 1814, and was chased into Marblehead by two of the enemy's heavy frigates, La Nymphe and Junon.

About the middle of December, 1814, she proceeded on her second cruise under capt. Stewart, and on the 28th of February, off Madeira, fell in with, and after a severe action of 40 minutes, succeeded in capturing H. B. M. ships Cyane of 34, and Levant of 21 guns, and 325 men. A more perfect specimen of nautical skill was probably never witnessed, than was exhibited throughout the whole of this memorable battle. The advantages of a divided force, or as the boys call it, of two upon one, are well known to all, particularly to men of naval science. A raking fire is almost always very sure to be decisive of the fate of a battle; and to have avoided this from either of her opponents, and with a leading breeze too, is indeed miraculous, especially when we recollect that the Constitution succeeded in raking both of her antagonists more than once during the engagement.

After taking possession of her prizes the three ships made sail for the Cape de Verd Islands, and on the 10th of March came to anchor in the harbor of Port Praya in the island of St. Jago. Two days after this, a squadron of the enemy hove in sight, consisting of the Newcastle and Leander, of 50 guns each, and the Acasta frigate of 40, the whole under the command of Sir George Collier, and in seven minutes after the discovery was made, the Constitution with her two prizes had cut their cables and were under way, being at this time only about gun shot to windward of the enemy. The Levant was recaptured. The Cyane had the good fortune to escape, and now forms a part of our navy. The Constitution continued her cruize, and shortly after returned to Boston, where she was for the third time received with every possible demonstration of joy and exultation. The last news from her had been brought by the Cyane, arrived at New York, when the above squadron was left in chase, and she had heard a heavy cannonading shortly after losing sight of her, so that the most intense anxiety had for some time been entertained for her safety.

Peace had now been proclaimed, and to have lost this noble vessel and her gallant crew at this late hour, and after such a catalogue of glorious services too, would have cast a gloom over the whole country.

No wonder then that her safe arrival, after so many "moving accidents by flood and field;" and after having escaped so many perils of "the waters, winds and rocks"—should be greeted with such universal enthusiasm. Captain Stewart not only received the thanks of congress, but of almost every state legislature then in session, and from many quarters some more substantial marks of approbation.

After this, Old Ironsides was taken to the navy yard and immediately dismantled, where she remained unemployed, we believe with a single exception, till the spring of 1825, when she was again fitted out, and sailed under the command of captain Daniel T. Patterson, to join the squadron in the Mediterranean. She remained there about three years, after which she returned again to the United States, and as if to add one more to the many instances of good luck that have always attended her—she was so fortunate as to arrive and fire a federal salute in her native city—during the celebration of the 4th July, 1828, and contributed not a little, as well by her beautiful appearance as by the delightful associations that are ever uppermost in the presence of such a glorious vessel, to heighten the splendor and add a zest to the festivities of the day.

We have now, we believe, briefly touched upon most of the leading incidents in the eventful history of this favorite ship; doubtless there are many others well worth recording, but which can be only known to those who, at the time of their occurrence, were on board of her. We have never been able to find any but very unsatisfactory accounts of her operations before Tripoli, and the other Barbary states. A complete and impartial history of the movements of our several squadrons in those seas from 1803 to the present moment, would not only prove extremely interesting, but as a matter of record would be invaluable—we sincerely hope some competent person may be found who is willing to undertake it.

About twelve years since, the Constitution was hove out and completely examined at the navy yard in Charlestown, when her timbers, &c. were found to be in remarkable good order, a fact which, after twenty-five years wear and tear and hard service, redounds not a little to the credit of the old fashioned mechanics of Boston.

In her actions with the Guerriere and Java she mounted 54 guns, and 52 when engaged with the Cyane and Levant, her armament being 30 long 24 pounders on the main deck, and 24 32 pound carronades on the upper deck. Her loss in the action with the Guerriere was killed and wounded, 14; with the Java, 34, and with the Cyane and Levant, 14 more—total, 62. The Guerriere's loss, killed, wounded and missing, was 103; the Java's 161; Cyane's 38; Levant's 39—total, 341, or in the proportion of five and a half to one. The prisoners were nearly one thousand.

The dry dock into which Old Ironsides is now about to be taken, as well as the one which has recently been completed at Norfolk, is undoubtedly one of the most splendid specimens of stone masonry to be found in the world.

We have heard it spoken of by intelligent travellers, who have visited most of the naval depots in Great Britain, France and Russia, as by far surpassing any thing of the sort they had ever before witnessed. Indeed no expense has been spared by the government to render these magnificent public works as complete and perfect in every respect as possible. They were planned and have been constructed under the superintending care of colonel Loammi Baldwin, a gentleman who, for skill and science, has no superior in the country. T.

END OF VOLUME FORTY-FOUR.

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# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 1—VOL. IX.] BALTIMORE, AUG. 31, 1833. [VOL. XLV. WHOLE No. 1,145.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞After a very pleasant, and, as he hopes, instructive and useful journey, the editor has returned home, and resumed his seat; but sufficient time has not yet elapsed to bring up the lee-way made, as to matters and things which required his personal attention.

With the present sheet, a new volume, or the twenty-third year, of the REGISTER is commenced. An opportunity is not allowed to hold that familiar communication with our readers to which we have been annually accustomed. There is no peculiarly exciting subject before the public just now. The several parties to the great interests which have so much agitated the minds of the people, in years past, seem to be in a state of repose, that they may recover their strength—but it requires no spirit of prophecy, we think, to say, that the time is close at hand when these parties will be again strained to their utmost bearing. The [illegible] gress will be a very interesting one. [illegible] bled to ascertain whether the "*American System is destroyed, in all its parts*," as it has been impudently proclaimed on the behalf of persons, who, less than six years ago, would have resisted the imputation that they designed to destroy it, as the most abominable calumny which could have been heaped upon them. And many other matters of high importance will come up for decision—such as Mr. *Clay's* bill for a distribution of the proceeds of the public lands, the renewal of the charter of the bank of the United States, with some projects, perhaps, concerning the judiciary, and with reference to our foreign relations and domestic concerns. Political parties, properly so called, have been thrown into confusion—and many new rules of action may be expected to appear. New men will also present themselves in the arena, under new excitements and with fresh motives. And besides the struggles and juggles which may come out of desires for office, or be engendered by other personal considerations—several great principles are to be determined; and hence a bustling time may be looked for. We desire to go along quietly and smoothly, and rather furnish *materials* for the guidance of others, than take an earnest part in the discussions about to ensue; but if the latter appears "necessary and proper," we shall not be found wanting in attempts to support old principles, with all our former industry and zeal—while maintaining a "decent respect" for the opinions of all men, and avoiding the "collar" of persons and parties, as heretofore. The means acquired to give value to this work as a mere *register*, shall be freely used and impartially applied; and it is hoped, also, that new matter will not be wanting to excite, or keep up, a present interest in its reception by its numerous friends.

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The president of the United States returned to Washington, on the 23d inst. much benefitted in health, by his visit to the Rip Raps.

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A report of the case recently decided at Trenton, N. J. to which the two branches of the society of Friends, or Quakers, were parties, is given, and will be read and preserved with much interest. Perhaps, in the nature of things, it was unavoidable—but we have a strong repugnance to discussions of matters of religious faith in courts of common law.

We believe that another like case is about to come up before the circuit court of the United States, for the district of Pennsylvania; and, it is most probable, that certain great principles to be fully established, will be finally settled by the supreme court at Washington. And on this important results may depend—for instance, it is said that large sums of money, bequeathed to *orthodox* congregationalists in Massachusetts are in the hands of Unitarians, and that they hold them by the doctrine of numbers; which doctrine, though supported by judicial decisions in Massachusetts, has been set aside by that of the high court of New Jersey.

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The ravages of the cholera in many parts of the western states, were, indeed, awful—but the disease seems now to be nearly stayed. The official account shews that there were 502 deaths in Lexington, Ky.—or more, perhaps, than one-tenth part of the average population of that town during the prevalence of the pestilence. And a letter dated Campeachy, July 27, says—"The cholera rages here with such fury, that *the whole population of the state of Yucatan*, [one of the Mexican states,] *may be said to have been destroyed;* and there are towns where not ten inhabitants had survived."

The first death happened at Campeachy on 21st June, and on the 5th July, 260 persons died! The latest account [illegible] nity, and it is feared, has "naturalised itself." But the deaths were not numerous.

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We were asked, some time ago, for a copy of the new constitution of the state of *Mississippi*, and mortified to find that a paper of that character had not yet found a place in this work. The defect is remedied in the present sheet.

With respect to the operation of this constitution, the "Natchez Courier" says—"From present appearances, we should judge that it would not be long before our good citizens find themselves, not in the *state of Mississippi*, but in the *state of glorious confusion*. The laws are worthy of the constitution, and the constitution is worthy of the laws; they are alike creditable to the makers. To have been a member of the convention of either legislature, should be considered sufficient glory for one man."

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An interview was about to take place between the emperor of Russia and king of Prussia—to *settle* the affairs of Poland. "To the victors belong the spoils."

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WATER-POWER. With the limited knowledge we possess, it is impossible to make a rough guess of the water-power of the United States which yet remains unoccupied. But, perhaps, it may be safely said, that one-fiftieth part is hardly yet in use, even in the old states; very many eligible sites for grain and other mills, of the first class, are without the range of present usefulness, because of the difficulty of approaching them, and hence their distance from market—but such difficulty is every day diminishing, by roads and canals, steamboats and rail road cars, &c. For an example—the Canada line is now about as *near* to the city of New York, as was the city of Albany 30 or 40 years ago—as to the time for travel and of transportation. And, as these roads and canals are extended, the manufacture of all sorts of commodities, (in which power is needed), will be cheapened—especially of ponderous articles; a considerable part of the ultimate value of which often consists in charges for transportation of materials and their products; and the factories will be more and more located where the rude materials and means of subsistence most abound—as internal improvement, with science, in general, overcomes "time and space." We think it not unreasonable to say—that Mr. *Clay's* project concerning the public lands, if carried into effect, the annual proceeds of these lands, (say *three* millions), being expended on internal improvements, would cheapen the cost of transportations *six millions a year*, as soon as that sublime plan could obtain a moderate share of the power which rightfully belongs to it. An investment then of capital which shall yield an interest of 200 per cent. must be a wise one—for, reduced prices of indispensable domestic productions, or foreign commodities, because of reduced charges for transportation, are as much a profit to the people, as in-



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creased prices for their own *particular* products can possibly be. The labor expended in transportation is of a mighty amount. But would it be rash to say, that the present transportations through Pennsylvania and Maryland, to and from the shores of the Ohio and its waters, if measured by the rates for carriage as they stood 30 or 40 years since, *annually* save a larger sum than the whole amount expended on the national road, the Baltimore and Ohio rail road, and the various and great works of Pennsylvania, leading from the east to the west? We think not.

This train of thought occured on seeing a letter from that celebrated engineer, B. Wright, esq. which says, that, in the heart of New York, and on the border of the Erie canal, there is an unoccupied water-power at the Little Falls of the *Mohawk*, sufficient to carry 800,000 spindles, in the dryest season. What then is the power at the Great Falls of that river, adjacent to the capital of the state? And of other sites on that more noble river, the *Hudson*, proper, the whole body of which, except so much as is required to feed the northern canal, may be used at several places—in the midst of rich lands, and a dense and industrious population?

It is pleasant to look forward—and, as it were, by casting our eyes into futurity, discover what our country may become, under a wise administration of the *general go-*
commerce between the states or with foreign nations—and which, also, has means to aid and encourage works of internal improvement, to every desirable extent. It has been said by one of our sages, that "an armed *people* and an unarmed *magistracy* is the best security for freedom;" and it is not less appropriate to assert—that a prosperous and wealthy population, and a poor and carefully watched public treasury, are the best guaranties against corruption, whether of the people themselves, or in their public servants. It is a great misfortune, when a distribution of the "loves and fishes" of office enter into the consideration of political parties, fighting for the "spoils."

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PAUPERISM—AND ITS CAUSES AND EFFECTS. On these subjects a large volume might be advantageously written, and read. The people of the United States have a deep interest in them—not so much on account of the *present* state of society in our country, as with respect to its probable condition, under the practice of an unsound policy. There is not only a manner of thought, but a system of policy, which seems peculiarly suited to this people and their government. The general progress of population, wealth and power, in most civilized nations, when compared with our own, is like the pace of a snail compared with the flight of an antelope; and hence the greater necessity imposed on us of looking as well to the future as to the present state of things. Men of the present generation have had to legislate, in advance, for new states which now contain more than three millions of free people—for one example out of the many important ones which might be adduced; and hence, instead of boasting of what we *have been*, (as is so common in the ancient kingdoms and states of Europe), it is the pride of our fellow citizens to anticipate what their country and their children *will be*. And those who can call to mind the revolutionary period, and contrast things then with things now —filled with patriotic pleasure, may well triumphantly contemplate the probable condition of the *United* States, after the expiration of a second period of fifty years. But to a realization of the happy prospects afforded, every reflecting man will lay it down as indispensably necessary—that there shall not be taken "*from the mouth of labor the bread it has earned.*" The want of plentiful supplies of wholesome food, is among the severest checks to population; and while in England, for instance, it is thought desirable that the progress of population should be restrained—it is our great purpose to increase the numbers of our people, as being the "main brace" of power. In no part of our country is a large family of children, generally, regarded as an incumbrance on their parents. If there is not room for the "thousand thousandth" generation, at the present rate of increase—there cannot be a want of it for some hundred years to come; and, for the sake of the human race, it is earnestly to be wished that the United States of America should have first rank among the nations of the earth, and remain "an asylum for the oppressed"—the hope and pride of all men who love liberty. And so they will, if the character of the people be not essentially changed. We must expect to encounter seasons of what may be called political insanity—when senseless clamor, urged by selfish or ambitious men, shall overcome just discriminations between right and wrong; but if the body of the people remains sound at heart—re-actions will follow, and benefits, perhaps, proceed out of errors committed.

Through a highly protected and mightily excited industry, the productive power of the English population has reached an unrivalled extent; but as this power of production advanced, the wants of the government increased—and, while science added immeasurably to the creation of values in England, the comforts of the people were steadily diminished; until now, (1833) about one in every five or six of the population are *actual paupers:* for the government, secular and ecclesiastic, with the poor rates themselves, and various other requisitions, "takes from the mouth of labor the bread which it earns." Herein may be seen one of the leading causes of pauperism. The "glory," as well as the power of the English *government*, seems built upon the privations of the laboring classes, and their reduction to the minimum amount of food on which a capacity to labor can be maintained.
in England for poor rates £8,255,315 12*s*. out of which there was expended for the relief of the poor £6,731,181 10*s*. There was an increase of three per cent. on the average of England compared with the rates of the preceding year.

According to Colquhoun's tables the population of *England* in 1801, was 8,331,434; in 1811—9,538,827.

And in 1801, the population of England and Wales being 8,872,980, the paupers were 1,040,716—viz: adults permanently 336,199—do. occasionally 305,899—children permanently 315,150—in the work houses 83,486. Being nearly one-eighth of the whole number of the inhabitants.

Mr. Colquhoun says—"wherever the country exhibits the greatest and most general attributes of fertility; wherever the surface is covered with the most abundant crops and the finest verdure, *there generally is to be found the greatest proportion of indigence!* In Sussex and Wiltshire [rich counties] the number of paupers average 23 per cent. [1803], or nearly one-fourth of the population. In Cumberland [a poor county] they do not exceed 5 per cent. or one-twentieth part."

And it is also worthy of serious remark, that the paupers are less numerous in the chief manufacturing districts, than in the richest grain-growing counties of England.

The present amount of paupers in England and Wales is somewhere about 1,500,000—(we speak without book), and they are increasing, notwithstanding the *exports* made to Australasia, Canada, and the United States, &c. and the "checks" exerted in the shipment of cargoes of *females* to Van Dieman's Land, &c.

Out of such an excess of pauperism in England follows this effect—that labor is performed at the lowest rate on which "soul and body can be kept together." And the old question presents itself—shall the well-fed laborers of the United States be reduced to the level of these pauper-laborers—and the progress of population and wealth be checked, to gratify the empty and vain theories of English philosophers, and their disciples, concerning "free trade"—*a thing which has no existence*, and which cannot advantageously exist, until the soil and climate, habits and manners of *nations*, become assimilated, and all are brought to subsist upon the same quantity of food, and to expend the same quantity of labor in providing clothing and shelter.

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COTTON. There has been, and is, a great bustle in the cotton market. On the 31st July, the extreme prices of fair Upland and Orleans cotton, at Liverpool, were from 9 3-8*d*. to 12*d*. per pound.

There does not appear to be any sufficient reason for this great advance in price—for the account adds:

Total import of cotton into Liverpool since January, 617,314 bales. In the same period of last year the import was 520,767 bales.

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Gross sales, since January, 721,390 bales. In the same period of 1832, the sales were 520,767.

Estimated present stock of cotton in Liverpool, 238,000 bales, against 253,307 bales on 31st July 1832.

The supply of, and demand for, cotton have both increased—but the difference in the amount of the stocks on hand, last year and at present, would not seem to justify the increase of price. According to a circular from the Barings, it appears that 648,166 bales were imported into the principal ports of Europe, up to the 31st May, 1833—against 589,581 at the same ports and same time in 1832—and that the then present stock in those ports was 325,542 bales, (May 31, 1833), against 359,953 at same time in 1832.

The "Manchester Guardian" says—"*The market has become what it was in 1825—a scene of speculation and gambling.* In this town the prices of reeled yarn, which is very scarce in the market, keep closely behind the prices of cotton, though the buyers have been rather shy of making purchases at extreme prices within the last few days. The advance in most descriptions of goods is still considerably below that in cotton; and in some descriptions not much in demand at this season of the year, it is difficult to obtain even the smallest increase of price."

And the "Leeds Mercury" observes—"Cotton weaving [illegible] terial. The factories at Bury and Heywood are working short time, as are also the mill of John Fielden, esq. of Todmorden, and several others of that neighborhood. At Oldham and Royton the mills are working full time."

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The growing crops in Louisiana, Mississippi, Alabama and Georgia, especially, are spoken of as being very promising. Whence then the apprehended deficiency—whence the new demand? Many of the mills of the U. States have suspended their operations—At the present price of cotton and present price of cotton goods, they must remain idle, or work only half time, as many are doing in England. But goods are rising.

The Augusta, (Geo.) Courier says that last year the first bale of new cotton was brought to market on the 27th August, by col. Hammond, of South Carolina, and was sold at 9 cents a pound. The same gentleman brought the first of the new crop this year, which he sold for 16 cents.

A lot of eighty-two bales of cotton was sold recently in Charleston market for seventeen cents a pound. The Mercury exclaims—"so much for nullification."

This is a "good one," indeed! If *nullification* keeps up the price of cotton—the Yankees will have to nullify also to increase the price of cotton-goods—New York to keep up the price of wool—and Pennsylvania to advance the price of iron. Nullification will then be the "*rightful remedy,*" on all occasions!

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Mr. O'Connell. In a recent discussion of the slavery question, in the British house of commons, Mr. O'Connell is reported as having said—

"He would speak of the Americans as those political hypocrites, who, while they talked of the glory of freedom, still unblushingly continued the hateful system of slavery in its most hateful form. He hoped that Great Britain would set the American an example of true freedom, and stigmatise their conduct in continuing slavery as tyranny and robbery."

☞We regret that Mr. O'Connell should thus, at once, have made such ignorant and ill-natured remarks. He ought to have known, that, long before the American revolution, the traffic in slaves was denounced by our ancestors, and that "his majesty of England," then our king, was most humbly and earnestly entreated to forbid the casting of *living merchandise* upon our shores—wretched negroes, feloniously obtained in Africa. And he ought also to have known, that, at the earliest practicable period, we prohibited the slave trade, and soon after rendered it piracy. And in his sweeping denunciations, he should have recollected, that a large majority of "*the* Americans," have entered a solid protest against negro slavery, by abolishing it within the limits of their several states; and that a majority also of the members of this union are "free states;" that there is no power in the general government over this subject—and that, if there was, there are peculiar difficulties that would attend its execution, not to be settled by mere appropriations of *money,* as contemplated in England with respect to her West India colonies. To estimate these difficulties, Mr. O'Connell should have imagined the existence of three millions of black slaves *in* Great Britain and Ireland—and then have told us what *he* would do with them.

We repeat what we have oftentimes said—that it is "unblushing" impudence in *Englishmen* to abuse us because of our slaves—for it was England herself that blackened our land with the descendants of the African race; whose predecessors were bought, or *stolen,* in the way of a lawful trade, and sent hither against the remonstrances of our colonial legislatures, a hundred years ago.

The following paragraph was contained in the original draft of the Declaration of Independence of July 4, 1776, and shews the feeling which prevailed at that time—though for reasons which might be easily suggested, perhaps, the paragraph was not incorporated into the "great paper"

"He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur [illegible] fidel powers, is the warfare of the Christian king of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce: and that this assemblage of horrors might want no fact of distinguished dye, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people upon whom he also obtruded them; thus paying off former crimes committed against the liberties of one people, with crimes which he urges them to commit against the lives of another."

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A letter to the editors of the New York Commercial Advertiser, speaking of a meeting held in London to denounce the American Colonization society, says—"He, [Mr. *Garrison,* of Boston] was followed by Daniel O'Connell, M. P. who abused the Americans as a band of robbers and sheep stealers, for he knew no difference between the holder of stolen slaves and the man who stole them. He said if there was a place black enough in hell, that was the place for Americans. I did not discover an American in the room besides myself, except Mr. P. of New York. I took some steps to speak in reply, but was put down by the call for the passage of the resolutions."

This report of the manner of his speech will be the more easily believed because of what he said in the house of commons, as stated above.

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Mr. O'Connell has also got himself into an absurd quarrel with the reporters of the London press. Having charged one of the reporters of the Times, with deliberately reporting false a speech made by him at a public meeting, a certain portion of them, about 50 in number, attached to the leading papers, determined to abstain from reporting any of his speeches. He, in consequence, moved in the house, that the proprietors and publisher of the Times should be brought before the bar of the house of commons *for a breach of privilege in reporting the debates of the house.* His complaint then being, not that they had reported what he said incorrectly, but that they had not reported him at all. His motion was rejected by a large majority.

Would Mr. O'Connell *compel* the reporters to take down and publish his speeches? If so, the "political hypocrisy" which he charges upon the Americans, is clearly his own.

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Transportations. We have oftentimes said, that a large part of the *value* of many important commodities is in the cost of transporting them to market; and, that reductions of such cost are as clear profits to consumers, in general, in the lessened price of commodities; and hence our long and steady support of that great arm of the American System called internal improvement—by

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which system, in all its parts, there is an immense annual creation of values which would not, otherwise, pass into the aggregate of the national wealth. There is an old saying that "hogs are the best sacks to carry corn to market in"—and millions of cords of wood, bushels of coal, and tons of ore, sand, &c. &c. which would have remained valueless without being manufactured, being pressed into reduced weights, bear the cost of transportation, and are cast into the general prosperity—every change in the character, or of the *location* of the commodity, increasing its value, and so promoting the welfare of the community. For an example, the coal mines of Pennsylvania are now throwing out a value of near two millions a year—what would be the amount of their product were the canals and roads rendered impassable, and to remain so? In parts of the same state, and of New Jersey, Maryland, &c. &c. there are hundreds of thousands of acres of wood-land, that would become, (as it was), useless and without value, were the iron works, and other factories which require wood-fuel, destroyed—and these works would not have been built, were not means at command by which the articles to be made at them might be sent to market. These are mere hints of important things, involving, perhaps, a general aggregate of not much less than 200 millions of dollars a year. It is very possible, we think, that the entire cost of the New [illegible] without regard to the benefits which they confer on the people of other parts of our country.

A late British paper says—"On the subject of the London and Birmingham railway, a very elaborate estimate has been laid before parliament, by Mr. Lecount, of the road and canal traffic, for one year, between London and Birmingham, &c. The following are the general results: passengers, 233,155; goods, 62,389 tons; parcels, 56,799; beasts, 50,839; sheep, 365,000; pigs, 15,634. The expense, by the existing means of transit, is about £1,338,247; while, by the railway, it will not exceed £800,758; thus exhibiting an annual saving to the country of £537,489, *independently of the advantages to be expected from the unrivalled celerity of this mode of conveyance.*"

The "celerity" of the mode of conveyance enters as fully into the savings made, as the reduced amount of money paid for transportations. "Time is money." If the labor of an individual is worth one dollar or ten dollars per day, and he is enabled to travel as far, on business, in one day as formerly required two days—he certainly makes a greater profit of one or ten dollars, as the case may be, because of the saving of his time.

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An earthquake was felt at Baltimore on Tuesday last—but more strongly at Alexandria, Fredericksburg, and in the neighborhood of Richmond, &c. where it was attended by a rumbling noise. A letter from the foreman at Mr. Baird's stone quarry, in Stafford county, Va. dated on Tuesday morning, says—"We have had a remarkable *shivering* of the earth here to-day: the workmen say 'the rocks have the fever and ague.' And the Richmond Whig extra, says—"The stage driver brings information that Brown's coal pits, at Dover, sunk in during the earthquake this morning, burying 42 negroes. The overseer, who was here at the time, has gone up express.'"

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The Girard estate, &c. The "Pennsylvania Register" of the 24th ult. has a very interesting account of certain proceedings with respect to the opening of an avenue on the Delaware front of the city of Philadelphia, according to the will of the late Stephen Girard—which, if accomplished, will, indeed, be a magnificent improvement.

We have also a statement shewing the *cost* of the real estate of Mr. Girard, as purchased by him between the years 1785 and 1832, the aggregate of which is $1,741,834 46, and the personal property which has passed through the hands of the executors, up to this date, amounts to $4,577,330 02—together $6,319,164 48. The *present value* of the real estate is not estimated—but it must greatly exceed the amount of the *cost*, as given above.

The rent bill of the city property belonging to the Girard legacy, is stated in the U. S. Gazette to be about *seventy thousand dollars* per annum; and of the second quarter for the present year, there is due only *one hundred and thirty-nine dollars and ninety-seven cents*, and this by *five* tenants; seventy-five of which will be immediately paid.

It has been mentioned to us that we have not published Mr. Girard's will, though we promised to do so. The omission was caused by a great press of public papers, at the time. Being thus reminded, we shall redeem our promise.

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Wills' hospital for the lame and blind is now building in Philadelphia, on a fine square of ground fronting on Sassafras street, which cost $20,000. The edifice will cost 30,000 more; and the residue of his legacy for this purpose, 58,396 dollars, will remain as a fund for the support of the benevolent institution. The present actual capital for its support, having been increased by accruing interests, is upwards of 64,000 dollars in the U. S. 5 per cent. stock.

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Manufactures. The Charleston, S. Carolina Irishman and Southern Democrat, makes the following prediction respecting the progress of manufacturing in the strange as it may seem, Virginia, North and South Carolina and Georgia are destined to become the most extensive manufacturing states. It is the only way the slave holders can compete with the virgin soil of the new states. It will raise up a market for provisions which will lead to proper husbandry and manuring, and increase of population. The rail road will raise up towns in healthy spots remote from the sickly banks of the rivers. A few millions of capital will give a start to the south that will add to her wealth, population, refinement and security. The experiment is fairly begun in Georgia, and is too profitable to be relinquished.

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Iron making. Few persons not acquainted with the details of iron-making, have any idea of the amount of fuel which is consumed in the process. A gentlemen who has two furnaces and a forge in New Jersey, informs us that his annual consumption of fuel is about *sixteen thousand cords*. Twenty thousand acres of woodland, such as is to be found in the iron regions of New Jersey, is deemed hardly sufficient to ensure a permanent supply of fuel for a single furnace. The number of furnaces in New Jersey, we understand, is twelve. [*Jour. Com.*

[Has it occurred to the editor of the "Journal of Commerce" to ascertain, what might be the worth of 40,000 acres of wood-land, were the "two furnaces" to cease their operations? Wood is a great raw material in the making of iron—and, to the amount of millions of cords, might be valueless, without such a consumption of it.]

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Silk manufacture. One of the most gratifying exhibitions we ever witnessed is that of the silk worm in all its stages, with the mulberry-leaves, eggs, cocoons, chrysalis, miller, &c. together a complete domestic process of manufacture, which may be seen at the agricultural warehouse, North Market st. The machine which is there in motion was invented last winter by Mr. Adam Brooks, of Scituate, Mass. and a patent of it, which we have seen, was issued on the late 29th of June. It is an improvement, as it seems to us, of vast importance; for, unlike the Piedmontese wheel, heretofore chiefly used, which only performed the reeling process, *it combines the reeling and twisting;* and the saving of labor is such in consequence, that 150 skeins can be made in a day by one woman and a little girl to turn this improved wheel, as easily as forty can by the old. This we learn from those who have tried both. One of the new machines is used in Connecticut, and another in New York, besides those in the family of the ingenious inventor, who now devote their time in a great measure to this business.

Mr. B. is one of the society of Friends. His wife, who superintends the wheel, and has paid some attention to silk-making for several years, had made frequent complaints of the labor lost by the old machine. Her husband doubted the practicability of amending it, and told her so in plain terms, but went to thinking, it seems, and

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in about three weeks produced this capital improvement. Mrs. B. says it was formerly a very hard day's work to make 30 skeins; she can now make 100 in ordinary hours. The silk is beautiful—as smooth as the Italian itself, and stronger than that. We challenge the strongest fingered editor in the city to break a thread of it. If he succeeds he shall have one of the silk handkerchiefs we engaged this morning, socks and all. Specimens may be seen at the rooms. [*Boston Mer. Jour.*

[We have long, and earnestly, wished success to the silk manufacture in the U. States, because of the suitable employment which it will afford to respectable females—widows and orphans, and others dependent on their own exertions for an honest subsistence.]

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POTOMAC COAL TRADE. *Cumberland, Md. Aug.* 6. This important branch of our trade has from the time of its commencement been regularly increasing. Not many years since only a boat load or two of coal found its way to the eastern market; now upwards of 300,000 bushels are annually sent down the Potomac. The freshets since February last have already furnished the means of despatching about 250,000 bushels, so that the quantity for the present year will be much beyond that of former years. A market for this coal is readily found along the river between this place and Harper's Ferry; a boat load now and then finds its way below the falls to [illegible] and other markets, but the demand even on this side is far greater than the means of supply. The annual income from this trade is estimated at about 75,000 dollars. Although this is a very small business, when compared with that of other coal regions, it nevertheless is very considerable when reference is had to the immense difficulties to be overcome in the navigation of the river, which presents now the great and only obstacle to bringing this coal, superior in quality to any in the United States, into market. We may anticipate, therefore, when a cheap and easy way is opened with the Atlantic seaboard, by the completion of the Chesapeake and Ohio canal, that *the coal trade of Cumberland will become the most important in the country.* [*Civilian.*

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STEAM POWER. The following account from a late London paper, of the application of steam power on common roads, is of much interest. When our countryman, *Oliver Evans*, suggested a like use of steam power, to the legislature of Pennsylvania, in 1787 or 1788—he was pretty nearly voted down a madman.

Hancock's steam carriage has now been for nearly a month daily going backwards and forwards from Paddington, and the following exact statement of its performance will be satisfactory to the curious. It has been furnished to us by Mr. Hancock, who observes that "having given to the public opportunities of witnessing the performance of this carriage, in the streets, and on the most hilly road in the immediate neighborhood of the metropolis, I trust that I have demonstrated, to the most sceptical, the practicability of applying steam economically to the purpose of inland transportation."

| | | *Miles.* | *Total Time.* min. | *Delay.* min. | *Travel Time.* min. |
|---|---|---|---|---|---|
| April 22, | From city road to Paddington, thence to London-wall, and back to city road, | 10 | 68 | 18 | 50 |
| 23, | From city road to Paddington and back, | 8½ | 71 | 9 | 62 |
| 24, | Do. | 8½ | 64 | 11½ | 53 |
| 25, | From city road to Paddington and back to the middle of Pentonville hill, where the great pressure of the steam broke the piston. | | | | |
| 26, | Put in a new piston, double the strength of the former. From city road to Paddington and back, | 8½ | 49 | 5 | 44 |
| 27, | Do. | 8½ | 50 | 5½ | 44½ |
| 29, | Do. | 8½ | 51 | 5½ | 45½ |
| 30, | Do. | 8½ | 51 | 6½ | 45 |
| May 1, | From city road to Paddington, thence round Finsbury square, and back to city road, | 10 | 78 | 15 | 63 |

| | | | | |
|---|---|---|---|---|
| May 2, Do. | 10 | 67 | 9 | 58 |
| 3, Do. | 10 | 79 | 18 | 71 |

The average quantity of coke used has been three bushels each journey. [*Chronicle.*

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RAIL ROADS. Many new ones are projected—and several being made. One will be constructed from Pittsburg to a point on the great Ohio canal; and another has been surveyed from Dayton, Ohio, to Lake Erie, by the valley of the Mad River—153 miles, estimated to cost only $1,897,668, or $12,403 06 per mile. The Winchester and Potomac rail road, (which is to join the Baltimore and Ohio) we hope will be accomplished in the next season. A *reconnoissance* of a rail road from Baltimore to Port Deposit is now making, with the view to a continuous line of rail roads between Baltimore and Philadelphia—a considerable part of the present road being almost impassable at certain seasons of the year, when the navigation is obstructed by ice. But time would fail to collect and notice all the works of this kind now actually in progress or seriously contemplated.

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UNITED STATES DRAGOONS. The regiment authorised to be raised by an act of the last session of congress, for the defence of the western frontier, we believe is nearly full, and the material [illegible]

LL. D. The annual commencement of Yale college took place on the 21st inst. An eloquent oration was delivered before the Phi Beta Kappa society, by the hon. Edward Everett. The honorary degree of LL. D. was conferred on his excellency Henry W. Edwards; hon. Edward Everett, of Boston; and hon. Ezekiel F. Chambers, of Md. and that of D. D. on rev. Sereno E. Dwight, president of Hamilton college, and rev. F. S. Wheaton, president of Washington college, Hartford.

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SPECIMEN TOASTS—drunk in South Carolina, on the late anniversary.

*Nullification*—A shield against which the poisoned darts of aspiring demagogues, and the puny efforts of disappointed ambition, have struck in vain. It has preserved the union from dissolution, the constitution from infraction, and our government from consolidation.

Andrew Jackson—"He ascended like the rocket, but falls like the stick."

Andrew Jackson, Martin Van Buren and John H. Eaton, the first at least a tyrant, the second a sycophant, and the third a disgraceful tool.

As God himself will finally nullify Satan and his works, so let all mankind with one voice join, and in imitation of him, forever proclaim the evils of their government nullified.

The hickory: A plant of our native soil, generally tough, but found sometimes rotten.

Andrew Jackson. A political lunatic, exempt from responsibility for his acts, and dependent for their propriety or folly *entirely* upon the sanity of his keepers.

The state of South Carolina. Her's is the proud honor of having, single handed, brought the general government to its marrow bones.

By the president of the day, in Barnwell district, col. Jesse Rice. At Randolph's next pull, may the nose of the old tyrant at Washington be stretched as long as were the necks of the murdered Ambrister and Arbuthnot.

By capt. John McTyre. Drayton, Blair, Mitchell and all other southern advocates of the tariff and bloody bill. May they ever lie hard, have bad dreams, and die of lingering diseases, and leave few friends to weep for them when dead.

By Robert Cannon. The great gun of South Carolina, let her be loaded with submission men, primed with Yankees, and touched off by nullifiers.

Benedict Arnold and Andrew Jackson—History has consigned one already to infamy—posterity will add the additional appellation of the tyrant to the traitor.

The proclamation, written by a slave, signed by a knave, and approved of only by sycophants and parasites.

*Per contra.*

Nullification—The veiled prophet of Khorassan—could the covering be removed, like him, it might exclaim,

"Here—judge if hell with all its powers to damn
Can add one curse to the foul thing I am."

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The slave question—Agitated only by fanatics and nullifiers—by the one from a disordered intellect—by the other to produce a disordered government.

The coalition between Clay and Calhoun—"The fire and sword opposers of the tariff have entered into negotiation with the plunderers of the south. The robbers and the rebels have made terms together."

The tariff compromise—As the devil said when he sheared the hog—great cry and no wool.

Revenue collection bill—Yelept'd by the nullies, the "bloody bill"—a legitimate exercise of legislative authority—approved by patriots—a terror to traitors.

Gen. Jackson—He holds the *first* office in the gift of his countrymen—he is *first* in the hearts of the American people.

Calhoun and his followers. In the same predicament the Indian was with his poney; it was unable to carry him, he was unable to carry it; so, the advocates of nullification cannot support their doctrine, neither can their doctrine support them.

The members of the South Carolina convention, who voted for the ordinance, because they have done this, cursed are they above all cattle, and above every beast of the field; on their bellies shall they go, and *Clay* shall they *lick* all the days of their lives.

Hickory to the back of the rebellious spirits of the south, till they learn obedience to the constituted authority of Gen. Andrew Jackson, lately re-elected president of the United States. Long life and prosperity to him. May his and Van Buren's friend rub off the *whitewash* of Clay; and hold in derision the names of Calhoun, Hamilton and Hayne, until they repent and turn to the union and huzza for old Hickory.

President Jackson; with the penetration of a Cæsar, the fame of Leonidas, the valor of Alexander, the virtue of Titus, the moderation of Epaminondas, the integrity of Phocion and the unconquerable soul of Cato—he alone can save our country.

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TIT-FOR-TAT. Not long since the temperance association in Providence adopted the following resolution:

"*Resolved*, That it be recommended to the members of this association, and to all friends of temperance, to trade *exclusively* with temperance dealers."

In consequence of this, the grocers of that city held a meeting on the 8th instant, at which, among other resolutions, the following was passed:

"*Resolved*, That as the only resort left us, to counteract the baneful effects, which that *nefarious* resolution is calculated to produce; that we will not buy any goods of any member of that association, nor employ any doctor, school master, or any other person who is a member of that association, unless he or they shall have first withdrawn themselves from said association; or who shall publicly renounce or denounce all participation in said resolutions."

Now the grocers have just as much right to proscribe the temperance men as the latter have them; and who can blame them for paying off their opponents in their own coin. [*Bost. Post.*

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SHIP GLOBE. The Philadelphia Gazette says, that "the discharging of the cargo of the ship Globe, was concluded on Saturday, the rigid investigations of the custom house officers, being continued until the last chest was landed. The collector is now satisfied, we presume, that he has been played upon by his correspondent, upon whose allegations the search was made. No attempt at smuggling has been detected, but the cargo throughout found to be precisely as invoiced, with the exception of two chests, one of which was filled with sand, and the other with stones and gunny bags. This is a fraud practised by the Canton traders upon the consignees, for which full redress will be obtained.

The letter implicating the invoices of the Globe, is said to have been received at Boston. The name of the author has not been mentioned; but as a matter of justice to the public, now that the investigations are closed, it should be given up. The collector, no doubt, has acted in this business, upon what he regards as good authority, and as much of the unpleasant feeling which now prevails among our merchants would be removed by such an announcement, we presume there can be no objection."

SOUTH CAROLINA OPINION OF BOSTON. The Columbia, S. C. Telescope, in commenting upon a communication in the Boston Courier, relative to the proceedings at a meeting held in that city for the benefit of a theological seminary at Columbia, concludes with the following remarks:—"We have a certain regard for Boston, her spirit, her intelligence, her liberality; and (though loving little else in Massachusetts) we love, at least, the ancient sturdiness of that state; and should be sorry to be compelled to look on her as no longer a bold and fair adversary. She has fought us strongly and well; and we verily believe that she alone, if the late contest had come to arms, would have joined battle with all the ancient spirit, which this country possessed, before it had yet been tamed by its present institutions. As for windy New York, or leaden Pennsylvania, we never made much account of them. But Massachusetts is a true foe, and we like her, bating always her trick of making LL. D's."

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ENCYCLOPEDIA AMERICANA. We observe in the late London journals the announcement of "the popular Encyclopedia, or Conversations Lexicon," reprinted *from* the American edition of the Conversations Lexicon, or Encyclopedia Americana. That excellent work had previously served as the basis of the British Cyclopedia, and is spoken of in England as well as other parts of Europe, in terms of the highest commendation. [illegible] extant, of any thing like similar extent, that has had such extraordinary circulation. It has already been printed in various languages, and at this moment is publishing in French and Italian, and no less than three editions are now in press in England.

Well might the Edinburg Review term it "the world renowned Conversations Lexicon." We would recommend to all who can afford it to become owners of this invaluable work, which has supported, to the close, the high character given of it by all journalists upon the appearance of the early volumes, and respecting which the only complaint we hear on the publication of the closing volume was, "that there was no more to come." [*U. S. Gazette.*

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"THE PARTY." A clerk in one of the state offices of Pennsylvania, was recently removed from his situation for having exhibited premonitory symptoms of an intention to support a candidate for the next presidency, in opposition to the views of the head of his department. In a published letter, in relation to his dismissal, he says:

"At the time when Dr. Sturgeon gave me notice of my dismissal, I asked him if he was not satisfied with my conduct, capacity and attention to the business of the office. His reply was '*that he was perfectly satisfied with the manner in which I performed the duties of clerk*, and guessed I could get a situation elsewhere.' I asked him to give the reason for a removal. He said he *had been informed* that I was opposed to the party—that others had requested him to remove me, and that *I had frequently been seen with the opposite party!* I replied, that I was and ever had been a friend of Jackson and Wolf, and did all in my power to aid in the re-election of both. I stated that most of my neighbors were either anti-masons or national republicans, and unless I stopped all social intercourse, I could not help being seen every now and then in their company."

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KENTUCKY. The "Commonwealth" informs that the Kentucky delegation in the next congress is composed of 9 national republicans and 4 friends of the present administration, and that ten out of the 13 are in favor of rechartering the bank of the United States.

There is an equal division of parties in the state senate—but a decided majority of national republicans in the house of representatives.

The members of congress elect are—Messrs. Lyon, Hawes, Tompkins, Beatty, Letcher,* Chilton, Hardin, Pope, Love, Allan, Davis, Marshall and Johnson.

*The "Lexington Intelligencer" says, that the sheriff of Lincoln county, which gave Mr. Letcher a majority of 149 votes, making for him 60 in the district—refused to exhibit his poll-book, whereby the certificate was given to Mr. Moore, late minister to Colombia.

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There is a reported informality, which, it is said, may cause the return of Mr. Crittenden instead of Mr. Pope—but added, that if so, the former will resign, and so cause another trial of the strength of parties.

North Carolina is awakening. No state in the union is better fitted by soil and climate, location and condition, for internal improvements, and the general success of domestic industry—and in no one have the natural advantages enjoyed been so much neglected; but we are glad to believe that the people of the state, encouraged and excited by distinguished individuals, are about to ascertain and profit by their resources, by canals and roads and manufactures—which afford the best possible assurances of a profitable agriculture.

Mr. Carson was the only nullifier in the house of representatives from North Carolina, and he has been left out by a large majority. For Mr. Graham 3,276, Mr. Newland 2,201—both union men; for Mr. Carson 2,451.

Georgia. Col. Hardeman Owens, late of Columbus, Geo. has been killed by some soldiers of the U. States in the Creek nation. The facts are not certainly stated, but appear to be as follows:

The deputy marshal, supported by a company of the United States troops, was on duty to remove intruders from the Creek lands, one of whom was Owens. For some cause, an arrest of Owens was ordered, which he resisted—and, when about to discharge a pistol at certain of the soldiers, was himself fired upon and killed by one of them.

We shall probably have a full account of this unhappy affair.

Acts of violence seem too common in this state. The passions of the people have become excessively excited. In consequence of some quarrel about politics, major Camp was way-laid in the streets of Columbus, and instantly killed by deliberate discharges of a double barrelled gun, by col. Milton. The second shot, it is stated, was fired into maj. C. after he had been mortally wounded by the first!

Arkansas. The general election in this territory took place on the 7th ult. The contest for a delegate to congress was carried on with extraordinary asperity. The candidates were Mr. Sevier, late delegate, and Mr. Crittenden. The former is re-elected.

Pittsburg, August 9, 1833. It is, to-day, just seventy years since col. Boquet arrived at this place, and relieved the garrison in Fort Pitt from the distresses and inconveniences of a long investment by the Indians.

What a remarkable contrast does the present aspect of our place afford to the wild scene exhibited here just before the arrival of Boquet. The noise of the steam engine, the rattling of the stages and carriages, over our pavement, and the hum of business, have succeeded the whistling of the arrows, the sharp crack of the rifle, and the wild whoop of the Shawanese; and the peaceful display of a volunteer parade has this day succeeded and commemorated, (perhaps unconsciously) the silent, steady, and watchful march of an army in face of a savage foe. [Gaz.

Missouri. The result of the election recently held for an additional member of congress from this state, is yet unknown:—but Mr. Bull is supposed to be elected. The votes returned are as follows: for Mr. Shannon 3,123—Bull 2,938—Strother 2,324—Birch 1,864.

Partial returns from additional counties seem to place Mr. Bull a-head.

The Missouri river. The St. Louis Republican states that Mr. Brooks in giving "the mileage of the principal rivers which pour their treasures into New Orleans, does not state the extent to which the Missouri is navigable by steam. This is deemed of some importance inasmuch as there is not, in general, an accurate knowledge oo this subject. The American fur company have sent their steamboats *twenty-one hundred miles* above the mouth of the Missouri, and in high water, steamboats of light draft can ascend *two thousand six hundred miles*. The Mississippi is navigable by steam between *six or seven hundred miles* above St. Louis. These rivers pass through an exceedingly fertile country; and when a just system of internal improvement shall be carried into the operation, not only New Orleans and the great valley of Mississippi will be benefited, but every portion of the United Sates will feel the invigorating influence of such a course."

[We suppose, that, after this statement, even captain Hall, of the royal navy, will admit—that the course of the Missouri is as long as that of the *Tames!*]

British exports and imports, for the years ending in January, 1832 and 1833—"official" values.

| | *Exports.* | *Imports.* |
|---|---|---|
| Jan. 1832, | £71,431,491 | £49,727,108 |
| 1833, | 75,071,572 | 44,586,241 |

The London paper says—"The country with which we have the greatest trade is the United States of America. In the year ending January, 1832, the amount of our exports to that eldest of our offspring was £12,596,173, and our imports from her £8,970,342. Our next best customer, as far as exports are concerned, is Germany, which takes from us £9,473,627 worth of produce, of which £7,667,147 is the produce and manufactures of the United Kingdom. The value of our exports to India and China is £6,947,600, and of our imports thence £7,020,180. At the [illegible] dies amount to £8,448,839, whilst our exports amount to £3,988,286. We should be glad to see a *detailed* account for the year 1832."

The "official value of the goods exported is an arbitrary one, and, in numerous important cases, differs exceedingly from the real value; but the value of the importations may be near the selling prices of them; and hence no light is cast upon the "balance of trade." The statement, however, shews a large increase of the exports, and a decrease of the imports.

The British coasting trade, &c. A late English paper says—This branch of British commerce employs about one-fifth, or thirty-thousand mariners out of the hundred and fifty-five thousand who are employed in the navigation of our merchant vessels; and the shipping engaged in the coasting trade annually transport merchandise to the amount of nearly ten millions of tons. On the other hand, the trade to the British transatlantic possessions finds employment for at least forty thousand mariners, and an aggregate of nearly eight hundred thousand tons; namely, about 430,000 tons and 21,000 men are occupied in carrying on the trade between this country and her North American colonies, and about 360,000 or 370,000 tons, and 19,000 men, in carrying on that between the mother country and the West Indies, as well as the latter colonies and North America.

☞We incline to the opinion that the coasting trade of the United States employs nearly as many persons, and annually transports as great an amount of weight in "merchandise" as the British, because of the generally greater bulk of our commodities—though in regard to the men employed, a large allowance should be made on account of the greater comparative number of steamboats used in our country. If the actual tonnage of the vessels employed in the British coasting trade had been stated—we might have more nearly arrived at a just comparison.

Portugal. The population of this kingdom and its dependencies, is thus stated—

| | |
|---|---|
| Portugal and Algarves, the islands of Madeira and Porto Santo, Azores and Cape de Verd | 3,352,180 |
| In Africa | 1,100,000 |
| In Asia | 586,900 |
| Inhabitants | 5,033,080 |

The population of Lisbon was about 210,000 in 1820. At the date of the last report there had been 3,615 cases of cholera, resulting in 1,336 deaths, in the city.

Ibrahim to the sultan! Our readers will probably like to read Ibrahim pacha's letter to the sultan, in which he thanks him for the investiture of the government of Adana, and declares, his submission and devotedness:

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"My sublime, magnanimous, awe-inspiring, mighty, great sovereign, our benefactor, the benefactor of mankind.

"May God grant to your sublimity a life without end; and may he make the august shadow of your sublimity a protection for all men, and especially for my humble head.

"Your inexhaustible goodness has induced you, most gracious sovereign, to grant me the government of Adana, as mahassilik (in farms).

"Animated by this new favor of your sublimity, the duration of my frail existence will be wholly devoted to praying to God for the prolongation of your life and reign. As my breast is pervaded by a feeling of happiness, I entertain (God is my witness) no wish but to act so as to obtain the gracious approbation of your sublimity, and to find occasion to devote myself to your service.

"For the purpose of expressing my gratitude to your sublimity, and to express my most humble thanks, I venture to lay this humble petition at the foot of the throne of the sublime, magnanimous, awe-inspiring, mighty, great padischah, our august sovereign and benefactor, the benefactor of all men."

N. B. This letter is written by Ibrahim pacha with his own hand, and sealed with his seal.

GREECE. The affairs of this country appear to be gra- [illegible] the bands, under different chiefs, were yet little better than a banditti.

THE CHEROKEES. In pursuance of the stipulations of the convention between the United States and Georgia, made in 1802, all the lands of the Creeks have been purchased and ceded to that state. About one million acres of the lands of the Cherokees, comprising some of the most valuable of the gold mines, have been already purchased, and there are about five million acres, to which their title has never been extinguished. The greater part of these lands has been seized upon by Georgia, and granted to her citizens. The Cherokee Phenix proposes, that the federal government shall award a sum sufficient to satisfy the present holders of the lands, and shall suffer the Cherokees to remain in the peaceful enjoyment of them. [*Bost. Pat.*

MANILLA—136 vessels arrived at this port in 1832, of which 53 were Spanish, 35 American, 34 British, 3 French, 2 each, Dutch, Danish and Portuguese, 1 each Chinese, Cochin Chinese and Hamburg.

The specie imported in the year amounting to $464,390—287,779 in American and 113,512 in British vessels.

| | *Goods.* | *Treas're.* |
|---|---|---|
| Total value of imports under national flag | 427,051 | 30,209 |
| " foreign flags | 777,843 | 434,090 |
| | 1,204,894 | 463,300 |
| Total value of exports under national flag | 458,846 | 308,159 |
| " foreign flags, | 972,674 | 9,831 |
| | Sp. $1,531,540 | $317,990 |

| | | |
|---|---|---|
| Gross amount of duties, including customs, port dues, &c. year 1832, | Sp. drs. | 227,091 |
| Do. for 1831, | " | 244,006 |

Of the specie exported, Sp. drs. 308,159 was in Spanish vessels to Cadiz and Corunna; the remainder to China and Cochin China.

SILVER MINES OF MEXICO. From an article in the last number of Silliman's Journal, we learn that there are about 500 towns or principal places in Mexico, celebrated for the explorations of silver that surround them. These 500 places comprehend together about 3,000 mines. The whole number of veins and masses in the exploration is between 4,000 and 5,000. The ore is generally in veins—rarely in beds or masses. The vein of Guanaxuato is the most extensive. It is from 120 to 150 feet thick, and is exploded in different places for a distance of nine miles. The quantity of silver in the ores averages from 3 to 4 ounces the quintal, or from 1-448 to 1-597th of the weight of ore. The annual produce of silver in Mexico during the last years of the 17th century, was 1,134,424 lbs. [*N. Y. Jour. Com.*

ANOTHER CASPER HAUSER. *Leyden, May* 9. On the 5th instant, a human being, in the most deplorable condition, was found near the Leyden dam, about a league and a half from this city, and brought to the *nosocomium* of the academy. He appears to be about 24 years old. His faculties seem to have remained in a state of infancy, and he stammers only a few words. It is thought that he has been constantly bound, as his knees are drawn up to his breast, and he cannot make use of his arms or legs. He was entirely covered with filth. One of his feet is decayed to the ancle, and of the other only one of the bones remain.

## BRIEF NOTICES.

The heirs of the thrones of Great Britain, Spain and Portugal are little girls—one of them an infant; but being vested with "divine rights," it must not be profanely supposed that they are like other children.

We have *brilliant* accounts of the gatherings of gold in Virginia. The "gold region" appears to be extensive, and in some places the product is said to equal 4 or 5 dollars per day, for each hand employed! It does seem probable, from the various accounts which have reached us, that some of the gold mines of [illegible] have yet been discovered; but whether they will yield a *general profit* upon the labor and capital employed, is yet to be ascertained.

A Nashville paper of the 15th ult. says—We regret to hear that the hon. *John McNairy*, judge of the United States' district court in Tennessee, an office which he has held ever since the 22d of December, 1797, has forwarded his resignation to take place on the first day of September next.

Mrs. Susan Shelby, the venerable relict of the late governor Shelby recently died in Kentucky. She encountered all the perils and privations incident to the early settlement of that state.

The Louisiana insurance company has declared a semi-annual dividend of 25 per cent. on the capital stock paid in.

The merchants of New York have established a line of packets to ply between that city and *Natchez*, which is located about 400 miles above the mouths of the Mississippi. The state of that name is rapidly growing in population and wealth, and is expected to export 250,000 bales of cotton in the present year.

A great business has been made, and will be, in the present season, on the Ohio and Erie canal. A large part of the produce which passes through the canal, also passes through the Welland canal, and finds its market at Montreal.

Anti-temperance societies have been formed in several places—in the belief that temperance consists in the proper use, and not the total abstinence of the gifts of Deity.

The ship Chesapeake of Baltimore (says the Boston Atlas) was the first American vessel allowed to hoist the colors of the United States in the river Ganges, and to trade there. This was in the fall of 1788. Lord Cornwallis was then gov. general of the British possessions in India, and being, at the time of the ship's arrival, at a great distance in the interior, he was applied to by letter to know in what manner the flag of the new nation of America was to be received. He answered, on the same footing with those of other nations.

The brig Belvidera, arrived at Alexandria, brought over from Holland *four grey hounds*, with a litter of whelps—the hounds being a present for the president of the United States from Mr. Davezac.

Twelve, or more, first rate ships, engaged in the whale fishery, now belong to the enterprising people of the small city of Hudson, "away up" the Hudson river, New York.

The French government have in contemplation a grand line of iron railways from Paris to Rouen, Havre, Lyons and Marseilles. About $100,000 are to be appropriated for the expenses of preliminary surveys.

The enormous quantity of 2,139,078 tons of coal were imported into the port of London in 1832.

A farm of 460 acres, about three miles from Poughkeepsie, N. Y. has been sold for $33,120, being $72 an acre.

The large number of 1,435 emigrants arrived at New York, in one day last week—all from the British kingdoms except 391, from Havre, and probably Germans.

One of the most worthy and venerable citizens of New York, *Egbert Benson*, esq. died a few days ago, in the 87th year of his age. He was among the earliest and most active whigs of the revolution.

## FOREIGN NEWS.

*From London and Paris papers to the 31st July, inclusive.*

GREAT BRITAIN AND IRELAND.

The church temporalities bill had passed the house of lords by a large majority—54 majority for the 3d reading of the bill.

It was reported that a member of parliament had lately been fleeced of from £70,000 to £150,000, at some of the fashionable hells, alias gaming houses.

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The number of stamps issued for newspapers in England from the commencement of 1832, to the 31st of March, 1833, was 26,500,000—for newspapers in Ireland, 5,500,000.

The friends of humanity will regret to learn the death of the hon. *William Wilberforce*, in the 74th year of his age—"a name," says a London paper, "with which there is probably associated more of love and veneration than ever fell to the lot of any single individual throughout the civilized globe."

The British government has recognized Don Pedro's blockade of Lisbon, &c.

Many outrageous acts are still committed in Ireland—in some of the chief of which the Orangemen appear to have been the aggressors.

The colonial slavery bill had not yet been disposed of—and so it was with respect to the East India bill, and other important matters.

Notices from York, Sussex, Somerset, Cumberland, and other counties, represent the crops of fruits the present year to be flourishing and abundant.

The Jew's disabilities bill occasioned considerable discussion, but finally passed, 189 ayes, 52 noes—majority, 137.

The number of vessels composing the British navy amounts to 557, carrying from 2 to 120 guns each, of various calibre. This immense fleet, the largest in the world, employs in time of peace 20,000 sailors and 12,000 royal marines. The head quarters of the royal marine forces is at Gibraltar.

The tigress in the zoological gardens brought forth on Saturday evening, three cubs, the fruit of the loves of the lion and the tigress. These lion-tigers may now be seen at the gardens.

FRANCE.

The grand fete of the "three days," passed over without any commotion. [illegible] 50,000 of the national guards. The "three days" were also celebrated in many parts of the kingdom, with great glee—but in the best order. Some plots, however, are talked of—but the stocks had improved.

The statue of Napoleon was raised upon the top of the column in the Place Vendome, pursuant to the arrangement that had been made; and it was an object of great curiosity with both citizens and strangers at Paris.

It appears, from the official accounts, that in the first six months of the present year, 630 vessels (French and foreign) entered, and 409 French vessels left the ports of France. Vessels merely sailing to or from ports in Europe are not included in these numbers.

The product of indirect taxes in France for the first half year of 1833, was 278,905,000 francs, being an increase of 10,975,000 upon the products of the same taxes in the first half of 1832.

A Paris paper of July 31, says—The whole of the royal family will leave Paris on Monday next, the king and the duke de Nemours for Cherbourg, the queen and the princesses for Brussels, and the duke of Orleans for the camps at St. Omer, Rocrot and Wattignies. Preparations for their departure are making at the palace.

BELGIUM.

The young queen has had a son and heir—on account of which there had been great rejoicings—and a salute of 101 guns.

Affairs with Holland yet remained unsettled.

PORTUGAL.

The cholera was increasing at Lisbon—3,280 had died since the breaking out of the malady.

Miguel's flag was flying at Lisbon, at our latest date—but the Tagus was closely blockaded by the fleet of his enemy.

The Lisbon papers say—that the military force assembled in the city of Beja, and which forms the fifth division, was on the point of taking offensive measures speedily to deliver the brave population of Algarves from "the terrible invasion of the rebels." They also state, that—"On account of the calamitous epidemic which has attacked the city of Lisbon and other parts of the kingdom, the senate of Lisbon has proposed (and this proposal has been approved by his majesty) to make a solemn penitential procession to the miraculous image of the virgin, called of the Rock (alias of the Rabbit-hole)."

ITALY.

A bloody affray had taken place between the Papal and Austrian troops at Bologna—because that the best barracks had been given to the latter!

A letter from Naples, says:—"The count Hector de Lucchesi Palli has just arrived here, and is about to join the duchess of Berri at Palermo. He has not yet obtained an audience of the king."

The volcanic island thrown up two or three years since in the Mediterranean, near Sicily, and which afterwards disappeared, is again visible.

RUSSIA.

Large bodies of troops were collected on or near the Turkish frontier—waiting for orders. The Russian fleet had left the roads of Bajukderen for the Black sea—and the English squadron had also departed from the Dardanelles.

The emperor Nicholas has issued an edictal summons, through lieutenant general Sulina, president of the supreme criminal court, requiring the appearance of all those Polish subjects who were excepted from his gracious amnesty, in order to await their trial—and in the event of their non-appearance, the court would pass sentence upon them *in contumaciam*. Two hundred and eighty six names are contained in the list.

GREECE.

Extract of a letter of the 5th inst. from Trieste. "Accounts from Nauplia of the 7th ult. mention that the famous Mauromichali, or Pietro Bey of Maina, has at length taken the oath of allegiance to king Otho. His example will, it is thought, be followed by some other chiefs who had not yet fulfilled this formality."

EGYPT.

Accounts from Alexandria mention the increased activity of Mehemet Ali in the improvement of the extensive territories now subject to his government. Among other projects, we are told, he is erecting the port of Suda into a general mart for the trade of Syria. He is also employing several foreign engineers to survey the interior both of Syria and Egypt, with a view to the improvement of the internal communications of the country by roads and canals, for commercial purposes.

Ibrahim having obtained all the "slices of Turkey" which his father wished—had retired with his troops, beyond mount Taurus.

MEXICO.

We hear much of the march of armies and of battles in this distracted country. "Nullification" is "the order of the day."

## PRESBYTERIAN CHURCH IN THE UNITED STATES.

*Summary statistical report of the Presbyterian church in the United States of America, for* 1833.

This portion of the Catholic church of Christ in the world, under one general assembly of bishops and ruling elders styled *commissioners*, which, with the *delegates* from corresponding bodies, in May last, consisted of [illegible] session, twenty-two *synods*; one hundred and eleven Presbyteries; eighteen hundred and fifty-five ordained *bishops;* two hundred and fifteen *licentiates*, making two thousand and seventy *preachers of the gospel;* two hundred and twenty-nine *candidates* in a state of preparation for the ministry; twenty-five hundred *churches;* and two hundred thirty-three thousand five hundred and eighty *communicants*. Our INCREASE during the last year has been in *bishops* one hundred and twenty-five, in *licentiates* ten, in *candidates* nine, in ordained and licensed *preachers* one hundred and thirty-five, in churches one hundred and nineteen; and in communicants sixteen thousand two hundred and forty-two. The communicants added on examination last year were twenty-three thousand five hundred and forty-six; being ten thousand six hundred and fourteen LESS than were reported in 1832, as added in the same way. Seven thousand two hundred and fifty-two were added last year by certificate from other churches, or passed from one of our congregations to another, being three hundred and sixty-six MORE than were received in the same manner the year previous. The total of additions now reported is thirty thousand seven hundred and ninety-eight. Of these fourteen thousand five hundred and fifty-six, must be considered as equal to the number of persons who have deceased, or been dismissed or suspended, or who were at the time of making the reports in a state of transition from the care of one session to another, or who for some reason have not been reported as members: leaving as above stated the net gain of communicants of 1833 over the whole number of 1832 at sixteen thousand two hundred and forty-two. The baptisms now returned amount to twenty-one thousand eight hundred and twenty; of which six thousand nine hundred and fifty were of *adults*, fourteen thousand and thirty-five of *infants*, and eight hundred and thirty-five of persons *not distinguished*. The baptisms of 1832 exceeded those of 1833 by two thousand eight hundred and eighty-three. The funds reported as having been collected in the year preceding the meeting of the last general assembly were for *missionary purposes*, seventy-six thousand four hundred twenty dollars and thirty nine cents; for defraying the expenses of *commissioners* to the assembly, four thousand six hundred eighty-nine dollars and fifty-eight cents; for different *theological seminaries* six thousand three hundred eleven dollars, and twenty-three cents; for the *education* of poor and pious youth, principally with reference to their becoming ministers of the gospel, forty-seven thousand one hundred fifty-three dollars and sixty-five cents; and for the *contingent expenses* of the assembly, eight hundred ninety-two dollars and eighty-seven cents; which give a total of one hundred thirty-five thousand four hundred sixty-seven dollars and seventy-two cents collected for charitable uses. This sum is less than the total for the same objects in 1832 by two thousand three hundred fifty-one dollars and sixty-seven cents. Eleven presbyteries have made no returns of any collections; and four have reported only on the *commissioners' fund*. In all the presbyteries there are several churches which have made no reports on any subject, for some time past; and some which have never returned so much as the number of their communicants since I have been stated clerk. Our statistics, however, are much more complete than they formerly were; and must be regarded as a near approximation to an exact statement of the numbers and operations of our whole body.

With lamentation that it should be necessary, we state the fact of the suspension of three of our ministers during the last year; *two* of them for intemperance in drink; and *one* for heresy in doctrine.

The foregoing is a true summary, (E. E.) prepared by me this 31st day of July, 1833. EZRA STILES ELY,

*stated clerk of the general assembly.*

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## WILLIAM COBBETT.

We mentioned on Tuesday that *Cobbett* had recovered £100 damages against the Times, for a libel. Sir James Scarlett, counsel for the Times, in his defence of that paper, thus drew the character of that most inconsistent, versatile, unprincipled, but able and most forcible writer, Cobbett. The United States, it will be seen, figure in his inconsistent praises and curses. [*Amer.*

There was nothing which the plaintiff did like ordinary men. There was no topic which he had not touched in religion, and politics, and morals. He could equally well discuss every public question, and every side of that question. (Laughter.) Was it not a proud distinction for any public writer to be able to write and convince on one side of a question, and then turn and convince on the other? (A laugh.) The hon. member possessed an inexhaustible mine of talent and information on every subject, which the labors of so many years had not worked out. He first began in America, where his *Register*, published under the title of *Peter Porcupine*, produced him deserved fame. From thence he came to England, and set up in Pall Mall as a bookseller and publisher, under the sign of the bible and crown, but the fertility of his genius was so great, that he soon gave up the vending of the writings of others, in order to attend to the publication of his own. In these he had given to the public such an almost infinite variety of information and opinion on every subject, that if he were even now to discontinue the active labors of his pen, he would leave an imperishable and inexhaustible store to which his countrymen might apply on every public question. If his learned friend (Mr. Philips) should have occasion to seek out for what might be said on both sides, on any given subject, of any public interest, he (sir J. Scarlet) could refer him at once to an inexhaustible store of such opi- [illegible] and such a passage as the following: "As to any part of the royal family, what a shame is it to insinuate that I have ever endeavored to excite the hatred of the people against them. I have avoided every thing having such a tendency." Now came the other side of the question: "A beggar may be an Englishman, whereas the Guelphs have not a drop of English blood in their veins, except that which they may have derived from the taxes under which the people groan." (A laugh.)

Mr. Philips said his learned friend was quoting a printed work. He wished to know if he intended to put it as an evidence.

Sir J. Scarlet said he was reading these extracts as a part of his speech. The jury would observe the happy consistency there was in these two passages. The same honorable feeling was preserved in those he would next read: "I have faithfully and zealously served, honored and obeyed his majesty, and if it should please God to deprive us of his inestimable life, though 15,000,000 of people would be plunged into the deepest sorrow, no one living would mourn more severely than myself." Now the other side of the picture: "It is very degrading to us that we should suffer ourselves to be plundered by a German crew. The princess Charlotte is a fat, coarse featured young woman, with thick lips, and white looking eyes. What a shame to see a people like this truckling at the feet of these contemptible creatures." [Laughter.] Now, supposing that he wished to speak of the memory of a lamented public man, of the late sir S. Romily, for instance, he need only apply to the inexhaustible mine already alluded to—where he would find these words: "Sir Samuel Romily is allowed, on all hands, to be the most able lawyer in England, and a man of spotless reputation." Well, his learned friend, if he were disposed to take the other side of the question and say something to the prejudice of that good and great man, which he was sure he was not, might find ready to his hand such a passage as this: "The death of this unfortunate lawyer seems to have puzzled exceedingly the swarms of canters of whom he was the great leader." [Much laughter.] Then, supposing the dialogue to go on, he, sir J. Scarlet, might add—"I look upon sir Samuel Romily as having done more service to his country than all our generals in Spain and Portugal have done since the beginning of the war." To which the reply was ready from the same rich mine—"What need we care about the death of Romily—a man whose life was of no consequence to the country, whose talents were of no use to us, and about whom such a loud howl has been set up?" [Laughter.] Then, suppose he wished to speak of another worthy friend—a public man—he might find such words as these—"No man doubts the integrity of sir Francis Burdett." To which the reply was ready—"The word of sir Francis Burdett is not worth a straw." [Continued laughter.] To this it might be rejoined—"Sir Francis Burdett has never deviated from the path of political rectitude. Learned, eloquent and sober he is a most formidable foe to corruption. On his integrity, his courage and his ability, we have all a firm reliance. He has devoted his life to the liberties of his country." But the surrejoinder would be instantly supplied to this effect—"To reason with such a man as Burdett would be absurd. He must be combatted with weapons very different from a pen. We abhor the principles and conduct of the man, we detest and loathe him; we would trample upon him for his false, base and insolent assertions respecting our sovereign." [Laughter.] These consistent opinions might be enough as to one and the same individual, and from the same pen, but they were wound up by two others in the same consistent strain—"Sir Francis Burdett is the least conceited man I ever saw." "The conceit of the baronet is intolerable." [Loud laughter.] Suppose a man were to seek for an authority to show the friendly feeling which existed in the country towards the hon. baronet, he might at once find it in such words as these—"We feel that sir Francis Burdett is our best friend. We participate in his principles; we rely on his talents and integrity." But the same authority furnished the ready answer—"The baronet is hated by the few and despised by the many. Towards him not one single soul in the country has a friendly feeling." [Continued laughter.] Now, he must say, that with such power as Mr. Cobbett possessed of writing equally well at each side of every public question, it was too much for him to come there and seek the aid of a jury to redress such an attack as that of which he now complained. But if he (sir J. Scarlet) or his learned friend were to look out for select passages in the praise or censure of a nation, they had them at hand from the same authentic source. Thus, on the one hand, it might be said—"The Americans are the least criminal people in the whole world." To this the simple answer was—"The Americans are the most unprincipled people in the whole world." [Loud laughter.] But then he who would praise the nation, and might say, "I owe great gratitude to this sensible and brave people, the Americans, and to their wise, gentle and just government, for having preserved from the fangs of despotism one spot on the globe." The answer was a happy illustration of political consistency, and of personal gratitude. It was—"I know of no cause in which my life would be lost with so little regret on my part as in demolishing the towns of America, and in burying their unprincipled inhabitants under the rubbish." [Renewed laughter.] On the subject of the public government of a nation, if one was curious to know the opinion of a man of eminent talent and a close observer of human nature, who had passed many years in the country, he might find it thus briefly [illegible] governed, and so happy are the people, that there is no misery in the land. There are not as many crimes committed there in a year as are committed in England in one week, or perhaps one day." "The government of America is one of the very worst in the world: there is no such thing as real liberty in the country. The people are the most profligately dishonest that I ever heard described." [Renewed laughter.] The jury would thus perceive, that in this rich mine they had an inexhaustible fund of able information, applicable to all practical purposes.

## INDIAN AFFAIRS.

*From the Cincinnati Daily Gazette.*

Mr. Hammond: It may be interesting to many of your readers to learn that the objects of the expedition to the north west this summer, under col. Dodge, of the U. States' dragoons, have been promptly and completely gained, viz: the recovery of the *eight murderers* who made their escape last summer from prison at Fort Winnebago, and the removal of the entire nation of Winnebago Indians across the Ouisconsin river, from the lands ceded to the U. States by the treaty last summer at Rock Island.

The Winnebagoes lingered till the last moment, leaving reluctantly the most beautiful of countries,—the lands on the Rock River, Four Lakes, &c.; and but for the dread and respect which they evidently felt for the decisive movements of col. Dodge, would doubtless have given him and the troops under his command no little trouble in hunting them out, and *forcing* them over the Ouisconsin. There were few instances of small parties of Winnebagoes being enticed by certain troublesome traders in the vicinity of the Ouisconsin to return to the old grounds, but they were promptly taken and escorted by colonel Dodge's mounted men back to their new country.

The removal of this nation has opened new fields for the enterprise of emigrants. Hitherto settlers have been deterred from locating in this country, and the bold few who did erect their cabins here, were in continual danger of attack from the Indians; the case is now changed; emigrants may as safely settle on the Rock River, the Ouisconsin, the Four Lakes, &c. as upon any other lands in the west.

Col. Dodge made a speech at the talk held at Fort Winnebago, June 22, 1833: the speech of Whirling Thunder, I have selected from the speeches of several chiefs spoken on this occasion.

"*Whirling Thunder*" spoke as follows:

"Father! I shake hands with you as I would with our great father at Washington—as I would with our Great Maker. I went to see our great father the president; I shook hands with him; he gave me a new heart—ever since then I have had a white man's heart: I opened my ears to every word he uttered; I repeated all he said, to our young men; what he requested me to do, I have done.

"The red men of the Fox River have no speakers; I speak for them: bad birds have been seen flying from the Sacs on the other side of the Mississippi; I have heard of them. It is remembered when we were first a nation, our nation arose on lake Michigan; since then we have been scattered—there is a line between us now; we must each of us try to remain on our own land. I have taken my foot from off your land: I will not put it down there again;—we will remain on our own ground—we hope that you will remain on yours. We wish to be your friends as long as we live; we wish to be our own masters; we wish to live in our own way; we wish to live like red men; we wish no white men to control us; we were divided into two nations (the Rock River and the Ouisconsin tribes), but now we are all together, we are one nation. Our young men in your prison were delivered up to you by myself and the chiefs who

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are now before you. All our chiefs present are proud to hear the words you have spoken this morning. I wish to remain with the young men you have taken from us; I came from them this morning to hear what you had to say to us; I wish to go back and remain with our young men in prison; I wish to bear them company; I hope that the cloud which hangs so heavily over us, will be blown away, and never be seen again. We are not like the white men; they have money—we are poor; what the white man wants, he buys—we must beg. It was also said by the old chief, that it is a hard thing to be a chief; it is so—I find it so. This is the reason I wish to remain with our young men in your prison. We heard that you were coming, and we hastened to be off; we are all here but two families; you promised that the road should always be open to us; we have a river and two lakes that we wish to get rice from; I hope the *fence* between us will continue forever. This is all I have to say; if we hunt on the red man's land, so long as we are not on your land, you have no right to complain."

BLACK HAWK AND HIS PARTY AT HOME.

We have been favored, says the New York Daily Advertiser, with the following letter, from an intelligent correspondent, dated

*Fort Armstrong, (Upper Mississippi), August 5, 1833.*

The whole suite arrived here a few days since loaded with assumed dignity and costly presents.

Ke o-kuck's band speedily followed to welcome their brothers. A grand council assembled, among whom was myself, to witness the deliverance of the Hawk to his nation. The council opened with the address of the president to Black Hawk, in which he was informed, that in future he is to yield supremacy to his inferior, Ke-o-kuck, the white man's friend.

The old chief rose in violent agitation—denied that the president had told him so, and that he would not be advised by any body—that he wanted what he said to be told to the president, and that *he*, in person, would have said so in Washington, but that his interpreter could not sufficiently make known his views. The colonel made to him a speech, stating that by his own treaty, neither he nor his people could in future head a band, and that, by that treaty, Ke-o kuck was placed head of the Sac nation, &c. Ke-o-kuck, with benevolent look, spoke awhile to the Hawk, then addressed the council, begging nothing might be remembered of what the Hawk said—that he was too old to say any thing good, and that *he* was answerable for his good behavior. The poor old chief recalled his words, and I do not know that my sympathies were ever more excited than in witnessing his expiring struggle for freedom—nothing but his advanced age and want of military power will prevent him from making another effort. The Ke o-kuck's band gave us a splendid dance; but the Hawk's party were either too dejected or too sullen to participate in the festivities.

Thus, you may tell the good people of New York, these Indians would willingly get up another war, in order to make another visit to the east, and return loaded with presents and almost satiated with attention.

*From the Buffalo Republican.*

At the annual council of the chiefs and headmen of the Seneca and Onondaga nations of Indians, convened at the council-house, at Buffalo creek, in the state of New York, on the 18th of June, A. D. 1833, all the chiefs and headmen of the Seneca reservations in the state being present—judge Striker, the Indian agent, introduced the proposition heretofore made to them by the secretary of war of the United States, in relation to sending a delegation to witness the survey and examine lands at Green Bay, and to accept the same lands, if they should deem it expedient. And after many days' discussion and debate, and after mature deliberation, a large majority of the council passed the following resolutions:

***Resolved***, That we, the chiefs and headmen of the Seneca and Onondaga nations of Indians, are now possessed of lands within this state amply sufficient for ourselves and our children, and that we have no inclination whatever to remove therefrom.

***Resolved***, That we will not accept the proposition made to us by the secretary of war, through our agent, to appoint a delegation to witness a survey of lands at Green Bay, nor will we in anywise interest ourselves concerning said proposition.

***Signed***—Corn Planter, Gov. Blacksnake, James Robinson, John Pierce, White Seneca, Little Johnson, Big Kettle, Israel Jemison, Jimmy Johnson, Charles O'Beal, William Patterson, Jacob Blacksnake, George Kilbuck, Long John, George Bennett, Samuel Gordon, Captain Snow, Tommy Jimmy, Doxtator, John Snow, of Cataraugus, Green Blanket, John Hudson, Blue Sky, Young Chief, John Looke, Isaac Davis, Black Smith, Black Chief, John Sky, George Kenjaktadih, George Washington, Jesse Stickney, Daniel Twogans, Thompson S. Harris, jr. Mark Charles, White Chief, Captain Jonas, Captain Cole, Captain Peters, Colonel Smith, Samuel George, George Button, Captain Jones, Chief Warrior, Blue Eyes, Levi Halftown, Jack Snow, George Deer, Two Guns, George Red Eye.

## THE GREAT QUAKER CAUSE.

*From the Trenton Emporium.*

The great Quaker cause, as it is termed, has been decided by the highest state tribunal. The interest taken by the community in the history and termination of this suit will justify the space this brief statement occupies in our paper.

It is a matter of public notoriety that from the year 1823 to 1827, a difference of sentiment, either in relation to fundamental doctrines or important articles of discipline, had arisen among the society of Friends, which in the latter year produced a separation of the society. Prior to this separation, the two parties were known by the appellations of "Orthodox" and "Hicksite." The first, from their alleged adherence to the faith of the early Friends; and the last, from their partiality towards Elias Hicks, a favorite speaker with them, although they also claimed to believe with the early Friends. Upon the separation, disputes about the large property held by the society naturally arose, to determine one of which, in 1828, this present suit was brought in chancery.

A bill for relief was filed in the court of chancery, by Jos. Hendrickson, complainant, against Thomas L. Shotwell, defendant, to foreclose a mortgage given by the defendant to the plaintiff as the treasurer of the preparative meeting of Friends for Chesterfield, for the sum of two thousand dollars. The sum was part of a trust fund, raised by contribution in 1790, by the members of the meeting, and placed under the control of trustees to be appointed by it. Hendrickson was the treasurer chosen by the Orthodox; the Hicksites had, since the separation, elected Stacy Decow, treasurer, who claimed payment of the money, as the proper representative of the trustees.

Shotwell, who at that time was not a member of either society, finding himself thus placed between two fires, for his own safety, in 1829, filed a bill of interpleader, desiring that both treasurers might be brought into court, and either party there be compelled to make out his title to the money. This brought the disputants face to face in court, where the right of property was to be determined on the question, "which is the true society of Friends."

right to that title, Hendrickson stated their belief to be "in those doctrines always held and maintained by the society of Friends, or people called Quakers, to wit:

First—Though they have seldom used the word "Trinity," they believe in the existence of the Father, the Son or Word, and the Holy Spirit—that the Son was God, and became flesh—and there is one God and Father, of whom are all things—that there is one Lord Jesus Christ, by whom were all things made, who was glorified with the Father before the world began, who is God over all blessed forever—that there is one Holy Spirit, the promise of the Father and the Son, the leader and sanctifier and comforter of his people, and that these three are one, the Father, the Word, and the Spirit.

Second—They believe in the atonement—that the divine and human nature of Jesus Christ, the Saviour, were united—that, thus united, he suffered—and that, through his sufferings, death and resurrection, he atoned for the sins of men. That the Son of God, in the fullness of time, took flesh, became perfect man, according to the flesh descended and came of the seed of Abraham and David—that, being with God from all eternity, being himself God, and also in time partaking of the nature of man, through him is the goodness and love of God conveyed to mankind; and that by him man receiveth and partaketh of these mercies—that he took upon him the seed of Abraham, and his holy body and blood was an offering and sacrifice for the sins of the whole world.

Third—They believe the scriptures are given by inspiration, and when rightly interpreted are unerring guides, able to make wise unto salvation through faith in Jesus Christ—that the Spirit still operates on the souls of men, and in so doing furnishes the primary rule of faith—that the scriptures must be secondary in reference to this primary source from whence they proceed; but as the dictates of the Spirit are always true and uniform, all ideas and views which any person may entertain repugnant to the doctrines of the scriptures, must proceed from false lights.

These being the doctrines of the present Orthodox, by them alleged to have been held by early Friends, Hendrickson proceeded to state what were the doctrines of the opposing party. He ascribes to them—

"First—They believe Jesus Christ was a mere man, divinely inspired, partaking more largely of inspiration than other man, but that others, by resorting to the same means and exertions, may receive as great a measure of divine inspiration; that he, the apostles and prophets, cannot be, and have not been, set above other men; they disbelieve his partaking of the divine as well as human nature, that he is one and the same essence with God.

Second, they deny the doctrine of the atonement, and contest that man may have access to his God without any mediator; they contend the crucifixions and sufferings of Christ, if any atonement at all, were an atonement only for the legal sins of the Jews.

Third—They deny the divine inspiration of the holy scriptures, and hold that they contain doctrines and injunctions which are incorrect, and that they are a mere shadow.

Stacy Decow, on behalf of the Hicksite party, in his answer to the bill of interpleader filed by Shotwell, studiously avoids a detailed exposition of the doctrines; alleging that "the Society of Friends acknowledge no head but Christ, and no principle of authority or government in the church, but the love and power of God operating on the heart, and thence influencing the judgment, and producing unity of feeling, brotherly sympathy, and condescensions to each other. The great fundamental principle of the society, the divine light and power operating on the soul, being acknowledged by all its members as the effectual bond of union; the right of each individual to judge of

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the true meaning of scripture testimony relating to the doctrines of Christianity, according to the best evidence in his own mind, uncontrolled by the arbitrary dictation of his equally fallible fellow man, hath been as well tacitly as explicitly acknowledged by the society." He alleges, that the first difficulties and final separation grew out of an attempt "by a few individuals, (now of the Orthodox party), who had long been continued in important stations, gradually and covertly attempting to assume and arrogate an authority over their brethren never delegated to them, and attempted to impose upon the yearly meeting a document in form designed to operate as a *written creed*, adapted to their peculiar views, and believed also to have been intended as an instrument to attach some faithful, worthy fellow members, against whom they had conceived personal offence, and subversive of that freedom of thought and individual opinion, which the society of Friends, had always cherished and maintained as an unalienable right."

Decow further insists "that the questions and facts set forth by Hendrickson in the original bill, in relation to the schism in the society of Friends, and discrepancies among them in regard to matters of faith and discipline, if they exist as is stated, which he by no means admits, cannot lawfully or equitably affect the right of the fund belonging to the said Chesterfield preparative meeting—that the legitimate inquiry before the court respects the *right of property*, and that no court have a right to institute an inquest into the consciences or faith of members of religious societies or associations, or subject them to the ordeal of a creed, prepared by those claiming adversely, in order to disfranchise or deprive them of their legal rights." He further describes the polity of the society of Friends, as being that of "a pure democracy, all its members having equal rights as [illegible] either in right, authority, rank or privilege"—and carries this principle of equality throughout all the ramifications of their government. "That all propositions, questions or other matters properly submitted to any meeting, was to be determined by the voice of the majority present."

Each party gives his own version to the transactions immediately preceding and subsequent to the separation of the yearly meeting at Philadelphia in 1827, in which there is less collision about facts, than about the motives and views that led to the facts.

Upon the matter thus presented to the chancellor, the parties were referred to a master, before whom all the facts considered material in the cause were to be made manifest. In glancing over nearly a thousand pages of evidence taken before the master, we gather that the principal points endeavored to be maintained by the parties, were:

By the Orthodox—Their belief as set forth in the answer and original bill of Hendrickson—its identity with the belief of early Friends—the spurious character of the Hicksite doctrines, and their repugnance to those entertained by early Friends—that the separation of the society grew out of the attempt to spread these spurious sentiments on the one hand, and to suppress them on the other—and that the Hicksites were unsound, and unlike ancient Friends, in belief, and seceders by their own acts. That the society of Friends were never, in their meetings, governed by the voice of the majority, but by the sense of the meeting gathered by the clerk.

By the Hicksites—That their belief and that of early Friends were the same, and that they believed in the scriptures—both of which points they maintained in so many words, without permitting themselves, in the most trival particular, to be dragged into details, expositions or explanations. That they were not separatists, or seceders, but were composed of a majority of the Friends belonging to the Philadelphia yearly meeting. That they were not followers of Elias Hicks, but of George Fox; that there was no power in temporal courts to inquire into spiritual things, and they therefore declined answering questions touching doctrines. They did not accuse the Orthodox of having departed from the belief of Friends, and were willing to share the property according to numbers. Their contest in this suit was only for their share, and not for the whole.

Upon these pleadings and this testimony, the cause came on for a hearing before the late chief justice Ewing and associate justice Drake, sitting as masters in chancery. It was there argued by George Wood, esq. and Isaac H. Williamson, esq. on behalf of Hendrickson; and by general Wall and Samuel L. Southard, esq. on behalf of Decow, defendant. In their opinions, read before the chancellor, both judges concurred in the power of the court to inquire into the religious doctrines of a society in order to settle and direct a trust reposed, in that society. On the main question, as to which constituted the real society of Friends, although taking different grounds, they both arrived at the same conclusion. The chief justice being of opinion that the Hicksite party had made themselves seceders by their acts; while justice Drake maintained that they were a new sect, holding doctrines entirely repugnant to those held by the early Friends. In conformity to these opinions, a decree in chancery was made in favor of the Orthodox claim; and upon which the appeal to the high court of errors, just determined, was brought.

The cause on appeal has been argued by Messrs. Wall and Southard, for the appellant, and Wood and Frelinghuysen for the appellee, in a manner satisfactory to their numerous clients, and eliciting the admiration of the hundreds who heard them. The ingenuity, research, legal profundity, argumentative skill, and glowing oratory, which successively intermingled, continually held the ear of the court in respectful attention, and delighted the numerous auditory, by those who have heard these gentlemen, may be better imagined than described. Mr. Southard closed, and the case was submitted to the court on the morning of Wednesday last. On Thursday afternoon, at four o'clock, the council having maturely considered the weighty question, AFFIRMED the decree of the court below by a vote as follows:

To AFFIRM. Board, of Bergen, Wood, of Morris, Merkle, of Sussex, Clark, of Hunterdon, McDowell, of Middlesex, Green, of Somerset, Seeley, (governor) of Cumberland.

To REVERSE. Campion, of Burlington, Holmes, of Monmouth, Clawson, of Salem, Townsend, of Cape May.

Each party to pay their own costs.

After the opinion of the court was delivered, the president made the following communication, viz:

"The court would most earnestly recommend to the parties interested, to make a speedy and amicable adjustment of all disputes and difficulties. We have always regretted to find religious controversies brought into courts of justice; it has a demoralizing effect upon society; is a great stumbling block to the unconverted, and a source of joy and rejoicing to the infidel. It is therefore, the sincere desire of the court, that all parties concerned will make every effort to settle disputes, on such just and equitable principles, as may properly become those who profess to be influenced by the light within, the spirit of God operating on sincere and honest hearts."

The decision was listened to in breathless suspense by the crowd assembled, more than one half of which, perhaps, was composed of those considering themselves directly affected by [illegible] name and fame, had here been put in issue; that, on the one hand, a large and respectable portion of the community looked up to this tribunal to restore to them property, and a sectarian name dear to them, of which they had been deprived—while another portion, not less respectable, called on the court to free those from whom they derived their existence as a society from the imputation of holding sentiments at variance, as they believed, with the plain precepts of the inspired volume, we could not wonder at the deep feeling evidently excited. The young and old were alike caught up in the momentous question about to be finally determined, and from every eye might be seen to flash the glance of painful impatience. At length the decision came—like the dove with the olive of peace, and the cheering intelligence that "the waters were abated," to the one party; and to the other,

"Hope for a moment bade the world farewell,
"And freedom shrieked———."

It is now over. Our town again has put on its wonted appearance, and conversation begins to flow in its ancient dull and monotonous channel. Although, in the general discussion of doctrines, principles and creeds, which this trial has elicited, some good or no good may spring; yet from the incessant rolling of eyes along the outworks of the gallery, and the continuous play of artillery from thence, we apprehend many a heart has been led into captivity; and we expect shortly to hear of numerous "suits" begun in this court, being carried up to that of Hymen; which may make this trial the parent of a thousand others.

## CONSTITUTION OF THE STATE OF MISSISSIPPI.

ARTICLE I.

*Declaration of rights.*

That the general, great and essential principles of liberty and free government may be recognized and established, we declare:

Sec. 1. That all freemen, when they form a social compact, are equal in rights; and that no man, or set of men, are entitled to exclusive, separate public emoluments or privileges from the community, but in consideration of public services.

Sec. 2. That all political power is inherent in the people, and all free governments are founded on their authority and established for their benefit; and, therefore, they have at all times an unalienable and indefeasible right to alter or abolish their form of government, in such manner as they may think expedient.

Sec. 3. The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free to all persons in this state: *Provided*, that the right hereby declared and established shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state.

Sec. 4. No preference shall ever be given by law to any religious sect, or mode of worship.

Sec. 5. That no person shall be molested for his opinions on any subject whatever, nor suffer any civil or political incapacity, or acquire any civil or political advantage, in consequence of such opinions, except in cases provided for in this constitution.

Sec. 6. Every citizen may freely speak, write, and publish his sentiments on all subjects; being responsible for the abuse of that liberty.

Sec. 7. No law shall ever be passed to curtail or restrain the liberty of speech, or of the press.

Sec. 8. In all prosecutions or indictments for libel, the truth may be given in evidence; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquit-

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ted; and the jury shall have the right to determine the law and the facts.

Sec. 9. That the people shall be secure in their persons, papers, houses and possessions, from unreasonable seizures and searches; and that no warrant to search any place, or to seize any person or thing, shall issue without describing the place to be searched, and the person or thing to be seized, as nearly as may be, nor without probable cause, supported by oath or affirmation.

Sec. 10. That in all criminal prosecutions the accused hath a right to be heard, by himself or counsel, or both; to demand the nature and cause of the accusation, to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and in all prosecutions by indictment or information a speedy public trial by an impartial jury of the county where the offence was committed; that he cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, but by due course of law.

Sec. 11. No person shall be accused, arrested, or detained, except in cases ascertained by law, and according to the form which the same has prescribed; and no person shall be punished but in virtue of a law established and promulgated prior to the offence, and legally applied.

Sec. 12. That no person shall, for any indictable offence, be proceeded against criminally by information; except in cases arising in the land or naval forces, or in the militia when in actual service, or by leave of the court, for misdemeanor in office.

Sec. 13. No person shall, for the same offence, be twice put in jeopardy of life or limb; nor shall any person's property be taken or applied to public use without the consent of the legislature, and without just compensation being first made therefor.

Sec. 14. That all [illegible] an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

Sec. 15. That no power of suspending laws shall be exercised, except by the legislature, or its authority.

Sec. 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Sec. 17. That all prisoners shall, before conviction, be bailable by sufficient securities, except in capital offences, where the proof is evident, or the presumption great; and the writ of *habeas corpus* shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require it.

Sec. 18. That the person of a debtor, when there is not strong presumption of fraud, shall not be detained in prison, after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

Sec. 19. No conviction for any offence shall work corruption of blood or forfeiture of estate: The legislature shall pass no bill of attainder, *ex post facto* law, nor law impairing the obligation of contracts.

Sec. 20. No property qualification for eligibility to office, or for the right of suffrage, shall ever be required by law in this state.

Sec. 21. That the estates of suicides shall descend or vest as in cases of natural death: and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

Sec. 22. That the citizens have a right in a peaceable manner, to assemble together for their common good, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by petition, address or remonstrance.

Sec. 23. Every citizen has a right to bear arms in defence of himself and of the state.

Sec. 24. No standing army shall be kept up without the consent of the legislature; and the military shall in all cases, and at all times, be in strict subordination to the civil power.

Sec. 25. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, or in time of war, but in manner to be prescribed by law.

Sec. 26. That no hereditary emoluments, privileges or honors shall ever be granted in this state.

Sec. 27. Emigration from this state shall not be prohibited, nor shall any free white citizen of this state ever be exiled under any pretence whatever.

Sec. 28. The right of trial by jury shall remain inviolate.

Sec. 29. No person shall be debarred from prosecuting or defending any civil cause for or against him or herself before any tribunal in this state, by him or herself, or counsel, or both.

Sec. 30. No person shall ever be appointed or elected to any office in this state for life or during good behaviour; but the tenure of all offices shall be for some limited period of time, if the person appointed or elected thereto shall so long behave well.

*Conclusion.*

To guard against transgressions of the high powers herein delegated, *we declare*, that every thing in this article is excepted out of the general powers of government, and shall forever remain inviolate; and that all laws contrary thereto, or to the following provisions, shall be void.

ARTICLE II.

*Distribution of powers.*

Sec. 1. The powers of the government of the state of Mississippi shall be divided into three distinct departments, and each of them confided to a separate body of magistracy; to wit: those which are legislative to one, those which are judicial to another, and those which are executive to another.

Sec. 2. No person, or collection of persons, being of one of these departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

ARTICLE III.

*Legislative department.*

Sec. 1. Every free white male person of the age of 21 years or upwards, who shall be a citizen of the United States, and shall have resided in this state one year next preceding an election, and the last four months within the county, city or town in which he offers to vote, shall be deemed a qualified elector. And any such qualified elector who may happen to be in any county, city or town other than that of his residence at the time of an election, or who shall have removed to any county, city or town, in which he would have been a qualified elector had he not so removed, may vote for any state or district officer or member of congress, for whom he could have voted in the county of his residence, or the county, city or town, from which he may have so removed.

Sec. 2. Electors shall, in all cases, except in those of treason, felony, or breach of the peace, be privileged from arrest during their attendance on elections, and going to and returning from the same.

Sec. 3. The first election shall be by ballot, and all future elections, by the people, shall be regulated by law.

Sec. 4. The legislative power of this state shall be vested in two distinct branches: the one to be styled "the senate," the other "the house of representatives;" and both together "the legislature of the state of Mississippi." And the style of their laws shall be, "*Be it enacted by the legislature of the state of Mississippi.*"

[illegible] chosen by [illegible] two years, from the day of the commencement of the general election, and no longer.

Sec. 6. The representatives shall be chosen every two years, on the first Monday and day following in November.

Sec. 7. No person shall be a representative unless he be a citizen of the United States, and shall have been an inhabitant of this state two years next preceding his election, and the last year thereof a resident of the county, city or town for which he shall be chosen; and shall have attained the age of twenty-one years.

Sec. 8. Elections for representatives for the several counties, shall be held at the places of holding their respective courts, or in the several election districts into which the county may be divided: *Provided*, That when it shall appear to the legislature, that any city or town hath a number of free white inhabitants equal to the ratio then fixed, such city or town shall have a separate representation, according to the number of free white inhabitants therein, which shall be retained so long as such city or town shall contain a number of free white inhabitants equal to the existing ratio, and thereafter, and during the existence of the right of separate representation in such city or town. *And provided*, That if the residuum or fraction of any city or town, entitled to separate representation, shall, when added to the residuum in the county in which it may lie, be equal to the ratio fixed by law, for one representative; then the aforesaid county, city or town, having the largest residuum, shall be entitled to such representation: *And provided also*, That when there are two or more counties adjoining, which have residuums over and above the ratio then fixed by law, if said residuums, when added together, will amount to such ratio, in that case one representative shall be added to that county having the largest residuum.

Sec. 9. The legislature shall, at their first session, and at periods of not less than every four, nor more than every six years, until the year 1845, and thereafter, at periods of not less than every four, nor more than every eight years, cause an enumeration to be made of all the free white inhabitants of this state, and the whole number of representatives shall at the several periods of making such enumeration be fixed by the legislature, and apportioned among the several counties, cities or towns entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than thirty-six, nor more than one hundred: *Provided, however*, That each county shall always be entitled to at least one representative.

Sec. 10. The whole number of senators shall, at the several periods of making the enumeration before mentioned, be fixed by the legislature, and apportioned among the several districts to be established by law, according to the number of free white inhabitants in each, and shall never be less than one-fourth, nor more than one-third, of the white representatives.

Sec. 11. The senators shall be chosen by the qualified electors, for four years, and on their being convened in consequence of the first election, they shall be divided by lot from their respective districts into two classes, as nearly equal as can be. And the seats of the senators of the first class shall be vacated at the expiration of the second year.

Sec. 12. Such mode of classifying new additional senators shall be observed, as will, as nearly as possible, preserve an equality of numbers in each class.

Sec. 13. When a senatorial district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to another district; and no county shall be divided in forming a district.

Sec. 14. No person shall be a senator unless he be a citizen of the United States, and shall have been an inhabitant of this

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state four years next preceding his election, and the last year thereof a resident of the district for which he is chosen, and have attained the age of thirty years.

Sec. 15. The house of representatives when assembled, shall choose a speaker and its other officers, and the senate shall choose a president and its officers, and each house shall judge of the qualifications and elections of its own members, but a contested election shall be decided in such a manner as shall be directed by law. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Sec. 16. Each house may determine the rules of its own proceedings, punish members for disorderly behaviour, and, with the consent of two thirds, expel a member; but not a second time for the same cause; and shall have all other powers necessary for a branch of the legislature of a free and independent state.

Sec. 17. Each house shall keep a journal of its proceedings, and publish the same; and the yeas and nays of either house, on any question, shall, at the desire of any three members present, be entered on the journal.

Sec. 18. When vacancies occur in either house, the governor, or the persons exercising the powers of the governor, shall issue writs of election to fill such vacancies.

Sec. 19. Senators and representatives shall in all cases, except in treason, felony, or breach of the peace, be privileged from arrest during the session of the legislature, and in going to and returning from the same, allowing one day for every twenty miles such member may reside from the place at which the legislature is convened.

[illegible] imprisonment during the session, any person not a member, for disrespectful or disorderly behaviour in its presence, or for obstructing any of its proceedings: *Provided*, such imprisonment shall not, at any one time, exceed forty-eight hours.

Sec. 21. The doors of each house shall be open, except on such occasions, of great emergency, as, in the opinion of the house, may require secrecy.

Sec. 22. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

Sec. 23. Bills may originate in either house, and be amended, altered or rejected by the other, but no bill shall have the force of a law, until, on three several days, it be read in each house, and free discussion be allowed thereon, unless four-fifths of the house in which the bill shall be pending, may deem it expedient to dispense with this rule; and every bill having passed both houses, shall be signed by the speaker and president of their respective houses.

Sec. 24. All bills for raising revenue shall originate in the house of representatives, but the senate may amend or reject them as other bills.

Sec. 25. Each member of the legislature shall receive from the public treasury, a compensation for his services, which may be increased or diminished by law; but no increase of compensation shall take effect during the session at which such increase shall have been made.

Sec. 26. No senator or representative shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this state, which shall have been created, or the emoluments of which shall have been increased, during such term; except such offices as may be filled by elections by the people, and no member of either house of the legislature shall, after the commencement of the first session of the legislature after his election, and during the term for which he is elected, be eligible to any office or place, the appointment of which may be made in whole or in part by either branch of the legislature.

Sec. 27. No judge of any court of law or equity, secretary of state, attorney general, clerk of any court of record, sheriff or collector, or any person holding a lucrative office under the United States, or this state, shall be eligible to the legislature: *Provided*, that offices in the militia, to which there is attached no annual salary, and the office of justice of the peace, shall not be deemed lucrative.

Sec. 28. No person who has heretofore been, or hereafter may be, a collector or holder of public moneys, shall have a seat in either house of the legislature, until such person shall have accounted for, and paid into the treasury, all sums for which he may be accountable.

Sec. 29. The first election for senators and representatives shall be general throughout the state, and shall be held on the first Monday and day following in November, 1833; and thereafter there shall be biennial elections for senators to fill the places of those whose term of service may have expired.

Sec. 30. The first and future sessions of the legislature shall be held in the town of Jackson, in the county of Hinds, until the year 1850. During the first session thereafter, the legislature shall have power to designate by law the permanent seat of government: *Provided, however*, that unless such designation be then made by law, the seat of government shall continue permanently at the town of Jackson. The first session shall commence on the third Monday in November, 1833. And in every two years thereafter, at such time as may be prescribed by law.

Sec. 31. The governor, secretary of state, treasurer, auditor of public accounts and attorney general, shall reside at the seat of government.

ARTICLE IV.

*Judicial department.*

Sec. 1. The judicial power of this state shall be vested in one high court of errors and appeals, and such other courts of law and equity as are hereafter provided for in this constitution.

Sec. 2. The high court of errors and appeals shall consist of three judges, any two of whom shall form a quorum. The legislature shall divide the state into three districts, and the qualified electors of each district shall elect one of said judges for the term of six years.

Sec. 3 The office of one of said judges shall be vacated in two years, and of one in four years, and of one in six years, so that at the expiration of every two years one of said judges shall be elected as aforesaid.

Sec. 4. The high court of errors and appeals shall have no jurisdiction, but such as properly belongs to a court of errors and appeals.

Sec. 5. All vacancies that may occur in said court, from death, resignation or removal, shall be filled by election as aforesaid. *Provided, however*, that if the unexpired term do not exceed one year, the vacancy shall be filled by executive appointment.

Sec. 6. No person shall be eligible to the office of judge of the high court of errors and appeals, who shall have not attained, at the time of his election, the age of thirty years.

Sec. 7. The high court of errors and appeals shall be held twice in each year, at such place as the legislature shall direct, until the year eighteen hundred and thirty-six, and afterwards [illegible] of the state.

Sec. 8. The secretary of state, on receiving all the official returns of the first election, shall proceed, forthwith, in the presence and with the assistance of two justices of the peace, to determine by lot among the three candidates having the highest number of votes, which of said judges elect shall serve for the term of two years, which shall serve for the term of four years, and which shall serve for the term of six years, and having so determined the same it shall be the duty of the governor to issue commissions accordingly.

Sec. 9. No judge shall sit on the trial of any cause when the parties or either of them shall be connected with him by affinity or consanguinity, or when he may be interested in the same, except by consent of the judge and of the parties; and whenever a quorum of said court are situated as aforesaid, the governor of the state shall, in such case, specially commission two or more men of law knowledge for the determination thereof.

Sec. 10. The judges of said court shall receive for their services a compensation to be fixed by law, which shall not be diminished during their continuance in office.

Sec. 11. The judges of the circuit court shall be elected by the qualified electors of each judicial district, and hold their office for the term of four years, and reside in their respective districts.

Sec. 12. No person shall be eligible to the office of judge of the circuit court, who shall not, at the time of his election, have attained the age of twenty-six years.

Sec. 13. The state shall be divided into convenient districts, and each district shall contain not less than three nor more than twelve counties.

Sec. 14. The circuit court shall have original jurisdiction in all matters, civil and criminal, within the state; but in civil cases only when the principal of the sum in controversy exceeds fifty dollars.

Sec. 15. A circuit court shall be held in each county of this state, at least twice in each year; and the judges of said courts shall interchange circuits with each other, in such manner as may be prescribed by law, and shall receive for their services a compensation to be fixed by law, which shall not be diminished during their continuance in office.

Sec. 16. A separate superior court of chancery shall be established, with full jurisdiction in all matters of equity; *Provided, however*, the legislature may give to the circuit courts of each county equity jurisdiction in all cases where the value of the thing, or amount in controversy, does not exceed five hundred dollars; also, in all cases of divorce, and for the foreclosure of mortgages. The chancellor shall be elected by the qualified electors of the whole state, for the term of six years, and shall be at least thirty years old at the time of his election.

Sec. 17. The style of all process shall be "The state of Mississippi," and all prosecution shall be carried on in the name and by the authority of "The state of Mississippi," and shall conclude "against the peace and dignity of the same."

Sec. 18. A court of probates shall be established in each county of this state, with jurisdiction in all matters testamentary and of administration in orphans' business, and the allotment of dower, in cases of idiocy and lunacy, and of persons *non compos mentis*. The judge of said court shall be elected by the qualified electors of the respective counties, for the term of two years.

Sec. 19. The clerk of the high court of errors and appeals shall be appointed by the said court for the term of four years, and the clerks of the circuit, probate and other inferior courts, shall be elected by the qualified electors of the respective counties, and shall hold their offices for the term of two years.

Sec. 20. The qualified electors of each county shall elect five persons for the term of two years, who shall constitute a board

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of police for each county, a majority of whom may transact business, which body shall have full jurisdiction over roads, highways, ferries and bridges, and all other matters of county police; and shall order all county elections to fill vacancies that may occur in the offices of their respective counties. The clerk of the court of probate shall be the clerk of the board of county police.

Sec. 21. No person shall be eligible as a member of said board, who shall not have resided one year in the county; but this qualification shall not extend to such new counties as may hereafter be established until one year after their organization; and all vacancies that may occur in said board shall be supplied by election as aforesaid to fill the unexpired term.

Sec. 22. The judges of all the courts of this state, and also members of the board of county police, shall in virtue of their offices be conservators of the peace, and shall be by law vested with ample power in this respect.

Sec. 23. A competent number of justices of the peace and constables shall be chosen in each county by the qualified electors thereof, by districts, who shall hold their offices for the term of two years: the jurisdiction of justices of the peace shall be limited to the causes in which the principal of the amount in controversy shall not exceed fifty dollars: in all causes tried by a justice of the peace, the right of appeal shall be secured under such rules and regulations as shall be prescribed by law.

Sec. 24. The legislature may from time to time establish such other inferior courts as may be deemed necessary, and abolish the same whenever they shall deem it expedient.

Sec. 25. There shall be an attorney general elected by the qualified electors of the state; and a competent number of district attorneys shall be elected by the qualified voters of their respective districts; whose compensation and term of service shall be prescribed by law.

Sec. 26. The legislature shall provide by law for determining contested elections of judges of the high court of errors and appeals, of the circuit and probate courts and other officers.

Sec. 27. The judges of the several courts of this state, for wilful neglect of duty or other reasonable cause, shall be removed by the governor on the address of two-thirds of both houses of the legislature; the address to be by joint vote of both houses. The cause or causes for which such removal shall be required, shall be stated at length in such address, and on the journals of each house. The judge so intended to be removed, shall be notified and admitted to a hearing in his own defence before any vote for such address shall pass: the vote on such address shall be taken by yeas and nays, and entered on the journals of each house.

Sec. 28. Judges of probate, clerks, sheriffs, and other county officers, for wilful neglect of duty, or misdemeanor in office, shall be liable to a presentment or indictment by a grand jury, and trial by a petit jury, and upon conviction shall be removed from office.

ARTICLE V.

*Executive department.*

Sec. 1. The chief executive power of the state shall be vested in a governor, who shall hold his office for two years from the time of his installation.

Sec. 2. The governor shall be elected by the qualified electors of the state. The returns of every election for governor shall be sealed up and transmitted to the seat of government, directed to the secretary of state, who shall deliver them to the speaker of the house of representatives, at the next ensuing session of the legislature, during the first week of which session the said speaker shall open and publish them in the presence of both houses of the legislature. The person having the highest number of votes shall be governor, but if two or more shall be equal and highest in votes then one of them shall be chosen governor by the joint ballot of both houses of the legislature. Contested elections for governor shall be determined by both houses of the legislature, in such manner as shall be prescribed by law.

Sec. 3. The governor shall be at least thirty years of age, shall have been a citizen of the United States for twenty years, shall have resided in this state at least five years next preceding the day of his election, and shall not be capable of holding the office more than four years in any term of six years.

Sec. 4. He shall at stated times receive for his services a compensation which shall not be increased or diminished during the term for which he shall have been elected.

Sec. 5. He shall be commander in-chief of the army and navy of this state, and of the militia, except when they shall be called into the service of the United States.

Sec. 5. He may require information in writing, from the officers in the executive department, on any subject relating to the duties of their respective offices.

Sec. 6. He may in cases of emergency, convene the legislature at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy or from disease, and in case of disagreement, between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next stated meeting of the legislature.

Sec. 8. He shall from time to time give to the legislature, information of the state of the government, and recommend to their consideration such measures as he may deem necessary and expedient.

Sec. 9. He shall take care that the laws be faithfully executed.

Sec. 10. In all criminal and penal cases, except in those of treason and impeachment, he shall have power to grant reprieves and pardons, and remit fines, and in cases of forfeiture to stay the collection until the end of the next session of the legislature, and to remit forfeitures by and with the advice and consent of the senate. In cases of treason he shall have power to grant reprieves by and with the advice and consent of the senate, but may respite the sentence until the end of the next session of the legislature.

Sec. 11. All commissions shall be in the name and by the authority of the state of Mississippi, be sealed with the great seal and signed by the governor, and be attested by the secretary of the state.

Sec. 12. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and shall be called the great seal of the state of Mississippi.

Sec. 13. All vacancies not provided for in this constitution, shall be filled in such manner as the legislature may prescribe.

Sec. 14. The secretary of state shall be elected by the qualified electors of the state, and shall continue in office during the term of two years. He shall keep a fair register of all the official acts and proceedings of the governor, and shall when required, lay the same and all papers, minutes and vouchers relative thereto before the legislature, and shall perform such other duties as may be required of him by law.

Sec. 15. Every bill which shall have passed both houses of the legislature shall be presented to the governor, if he approve he shall sign it, but if not he shall return it, with his objections to the house in which it shall have originated, which shall enter the objections at large upon their journals, and proceed to reconsider it, if after such reconsideration two-thirds of the house shall agree to pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be reconsidered, if in such case the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill, shall be entered on the journals of each house respectively: if any bill shall not be returned by the governor within six days, (Sundays excepted), after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the legislature by their adjournment prevent its return, in which case it shall not become a law.

Sec. 16. Every order, resolution or vote, to which the concurrence of both houses may be necessary, except resolutions, for purposes of obtaining the joint action of both houses, and on questions of adjournment, shall be presented to the governor, and before it shall take effect be approved by him, or being disapproved, shall be repassed by both houses according to the rules and limitations prescribed in the case of a bill.

Sec. 17. Whenever the office of governor shall become vacant by death, resignation, removal from office or otherwise, the president of the senate shall exercise the office of governor until another governor shall be duly qualified and in case of the death, resignation, removal from office or other disqualification of the president of the senate so exercising the office of governor, the speaker of the house of representatives shall exercise the office, until the president of the senate shall have been chosen, and when the office of governor, president of the senate and speaker of the house shall become vacant in the recess of the senate, the person acting as secretary of state for the time being, shall by proclamation convene the senate that the president may be chosen to exercise the office of governor.

Sec. 18. When either the president or speaker of the house of representatives shall so exercise said office, he shall receive the compensation of governor only, and his duties as president or speaker shall be suspended, and the senate or house of representatives, as the case may be, shall fill the vacancy until his duties as governor shall cease.

Sec. 19. A sheriff and one or more coroners, a treasurer, surveyor and ranger shall be elected in each county by the qualified electors thereof, who shall hold their offices for two years, unless sooner removed; except that the coroner shall hold his office until his successor be duly qualified.

Sec. 20. A state treasurer and auditor of public accounts shall be elected by the qualified electors of the state, who shall hold their offices for the term of two years, unless sooner removed.

*Militia.*

Sec. 1. The legislature shall provide by law, for organizing and disciplining the militia of this state, in such manner as they shall deem expedient, not incompatible with the constitution and laws of the United States, in relation thereto.

Sec. 2. Commissioned officers of the militia, (staff officers and the officers of volunteer companies excepted), shall be elected by the persons liable to perform military duty, and the qualified electors within their respective commands, and shall be commissioned by the governor.

Sec. 3. The governor shall have power to call forth the militia to execute the laws of the state, to suppress insurrection, and repel invasion.

ARTICLE VI.

*Impeachments.*

Sec. 1. The house of representatives shall have the sole power of impeaching.

Sec. 2. All impeachments shall be tried by the senate: when sitting for that purpose the senators shall be on oath or affirmation: No person shall be convicted without the concurrence of two-thirds of the members present.

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Sec. 3. The governor and all civil officers, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit under the state; but the party convicted shall nevertheless, be liable and subject to indictment, trial and punishment, according to law, as in other cases.

ARTICLE VII.

*General provisions.*

Sec. 1. Members of the legislature, and all officers, executive and judicial, before they enter upon the duties of their respective offices, shall take the following oath or affirmation, to wit: "I solemnly swear, (or affirm, as the case may be), that I will support the constitution of the United States, and the constitution of the state of Mississippi, so long as I continue a citizen thereof, and that I will faithfully discharge to the best of my abilities the duties of the office of ——— according to law. So help me God."

Sec. 2. The legislature shall pass such laws to prevent the evil practice of dueling as they may deem necessary, and may require all officers before they enter on the duties of their respective offices to take the following oath or affirmation: "I do solemnly swear, (or, affirm, as the case may be), that I have not been engaged in a duel, by sending or accepting a challenge to fight a duel, or by fighting a duel since the first day of January, in the year of our Lord one thousand eight hundred and thirty-three, nor will I be so engaged during my continuance in office. So help me God."

Sec. 3. Treason against the state shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or his own

Sec. 4. Every person shall be disqualified from holding an office or place of honor or profit under the authority of this state, who shall be convicted of having given or offered any bribe, to procure his election. Laws shall be made to exclude from office and from suffrage those who shall hereafter be convicted of bribery, perjury, forgery, or other high crimes or misdemeanors. The privilege of free suffrage shall be supported by laws regulating elections and prohibiting, under adequate penalties, all undue influence therein from power, bribery, tumult, or other improper conduct.

Sec. 5. No person who denies the being of a God, or a future state of rewards and punishments, shall hold any office in the civil department of this state.

Sec. 6. No law of a general nature, unless otherwise provided for, shall be enforced until sixty days after the passage thereof.

Sec. 7. No money shall be drawn from the treasury but in consequence of an appropriation made by law; nor shall any appropriation of money for the support of an army be made for a longer term than one year.

Sec. 8. No money from the treasury shall be appropriated to objects of internal improvement, unless a bill for that purpose be approved by two-thirds of both branches of the legislature: and a regular statement and account of the receipts and expenditures of public monies shall be published annually.

Sec. 9. No law shall ever be passed to raise a loan of money upon the credit of the state; or to pledge the faith of the state for the payment or redemption of any loan or debt, unless such law be proposed in the senate or house of representatives, and be agreed to by a majority of the members of each house, and entered on their journals with the yeas and nays thereon, and be referred to the next succeeding legislature, and published for three months previous to the next regular election, in three newspapers of this state, and unless a majority of each branch of the legislature so elected, after such publication, shall agree to, and pass such law; and in such case the yeas and nays shall be taken, and entered on the journals of each house: *Provided*, that nothing in this section shall be so construed as to prevent the legislature from negotiating a further loan of one and a half million of dollars, and vesting the same in stock reserved to the state by the charter of the Planters' bank of the state of Mississippi.

Sec. 10. The legislature shall direct by law, in what manner and in what courts, suits may be brought against the state.

Sec. 11. Absence on business out of this state, or of the United States, or on a visit, or necessary private business, shall not cause a forfeiture of citizenship or residence once obtained.

Sec. 12. It shall be the duty of the legislature to regulate by law, the cases in which deductions shall be made from salaries of public officers for neglect of duty in their official capacity, and the amount of such deduction.

Sec. 13. No member of congress, nor any person holding any office of profit or trust under the United States, (the office of post master excepted), or any other state of the union, or under any foreign power, shall hold or exercise any office of trust or profit under this state.

Sec. 14. Religion, morality and knowledge, being necessary to good government, the preservation of liberty, and the happiness of mankind, schools, and the means of education, shall forever be encouraged in this state.

Sec. 15. Divorces from the bonds of matrimony shall not be granted, but in cases provided for by law, by suits in chancery.

Sec. 16. Returns of all elections by the people shall be made to the secretary of state, in such a manner as may be prescribed by law.

Sec. 17. No new county shall be established by the legislature, which shall reduce the county or counties, or either of them, from which it may be taken, to less contents than five hundred and seventy-six square miles, nor shall any new county be laid off of less contents.

Sec. 18. The legislature shall have power to admit to all the rights and privileges of free white citizens of this state, all such persons of the Choctaw and Chickasaw tribes of Indians, as shall choose to remain in this state, upon such terms as the legislature may from time to time deem proper.

SLAVES.

Sec. 1. The legislature shall have no power to pass laws for the emancipation of slaves without the consent of their owners, unless the slave shall have rendered the state some distinguished service, in which case the owner shall be paid a full equivalent for the slave so emancipated. They shall have no power to prevent emigrants to this state from bringing with them such persons as are deemed slaves by the laws of any one of the United States, so long as any person of the same age or description shall be continued in slavery by the laws of this state: *Provided*, That such person or slave be the *bona fide* property of such emigrants. *And provided also*, That laws may be passed to prohibit the introduction into this state of slaves who may have committed high crimes in other states. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have full power to oblige the owners of slaves to treat them with humanity, to provide for them necessary clothing and provisions, to abstain from all injuries to them extending to life or limb; and in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

[illegible] -dise or for sale, shall be prohibited from and after the first day of May, eighteen hundred and thirty-three: *Provided*, That the actual settler or settlers shall not be prohibited from purchasing slaves from any state in the union, and bringing them into this state for their own individual use, until the year eighteen hundred and forty-five.

Sec. 3. In the prosecution of slaves for crimes of which the punishment is not capital, no inquest by a grand jury is necessary: but the proceedings in such cases shall be regulated by law.

MODE OF REVISING THE CONSTITUTION.

Whenever two-thirds of each branch of the legislature shall deem any change, alteration or amendment necessary to this constitution, such proposed change, alteration, or amendment shall be read and passed by a majority of two-thirds of each house respectively on each day, for three several days: public notice thereof shall then be given by the secretary of state at least six months preceding the next general election, at which the qualified electors shall vote directly for or against such change, alteration or amendment; and if it shall appear that a majority of the qualified electors, voting for members of the legislature, shall have voted for the proposed change, alteration or amendment, then it shall be inserted by the next succeeding legislature, as a part of this constitution, and not otherwise.

SCHEDULE.

Sec. 1. All rights vested, and all liabilities incurred, shall remain the same as if this constitution had not been adopted.

Sec. 2. All suits at law or in equity, now pending in the several courts of this state, may be transferred to such court as may have proper jurisdiction thereof.

Sec. 3. The governor, and all officers, civil and military, now holding commissions under the authority of this state, shall continue to hold and exercise their respective offices until superseded pursuant to the provisions of this constitution, and until their successors be duly qualified.

Sec. 4. All laws now in force in this state, not repugnant to this constitution, shall continue to operate until they shall expire by their own limitation, or be altered or repealed by the legislature.

Sec. 5. Immediately upon the adoption of this constitution, the president of this convention shall issue writs of election, directed to the sheriffs of the several counties, requiring them to cause an election to be held on the first Monday and day following in December next, for members of the legislature, at the respective places of holding elections in said counties, which elections shall be conducted in the manner prescribed by the existing election laws of this state: and the members thus elected, shall continue in office until the next general election, and shall convene at the seat of government on the first Monday in January, eighteen hundred and thirty-three; and shall at their first session order an election to be held in every county of this state on the first Monday in May and day following, eighteen hundred and thirty-three; for all state and county officers under this constitution, [members of the legislature only excepted], and the officers then elected shall continue in office until the succeeding general election, and after, in the same manner as if the election had taken place at the time last aforesaid.

Sec. 6. Until the first enumeration shall be made, as directed by this constitution, the apportionment of senators and representatives among the several districts and counties in this state, shall remain as at present fixed by law.

P. RUTILIUS R. PRAY,
*president of the convention,*
*and representative from the county of Hancock.*

Attest:
JOHN H. MALLORY, *secretary.*

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